

TRANSCRIPT OF TELEPHONIC PROCEEDINGS, 3/12/09

1 providing would be documentation contained in  
2 our file. I am in the process of putting  
3 those documents together.

08:55 4 REFEREE HACK: In response, are you  
5 prepared to provide all of that?

6 MS. FALK: I'm not prepared to  
7 provide all of it at this point, but I will  
8 be providing all of those documents as soon  
9 as I can review the files and get all those  
08:55 10 documents together.

11 REFEREE HACK: My point is are you  
12 objecting to the --

13 MS. FALK: Not to number three, no.  
14 With regard to number four, he asked for all  
08:55 15 information, evidence contained in OLR's  
16 file pertaining to their investigation of  
17 whether Expert Robert Krenz committed  
18 perjury on behalf of the Dane County  
19 District Attorney's Office.

08:55 20 Essentially with regard to number four,  
21 basically the OLR's jurisdiction is to  
22 investigate attorney misconduct and not  
23 misconduct of an expert witness. The  
24 Office of Lawyer Regulation has not  
08:56 25 investigated or initiated an investigation as

1 to whether Expert Robert Krenz committed  
2 perjury so the OLR would have no  
3 documentation with regards to number four.

4 So we're not objecting to it. We're just  
08:56 5 indicating we do not have any documentation.

6 The only issue would be with regard to  
7 document request number two which asks for  
8 Mr. Sellen's brief/memorandum to the PRC, but  
9 it is the OLR's position that, under 22.40,  
08:56 10 the memorandum to the PRC is confidential  
11 information, that it is the work product of  
12 Attorney Keith Sellen and our agency, and  
13 also under 22.07 with regard to the  
14 Preliminary Review Panel procedure, it does  
08:57 15 indicate that the meetings and deliberations  
16 of the PRC are private and confidential, and,  
17 therefore, the OLR would be asserting that it  
18 is not entitled to submit document request  
19 number two due to the confidentiality of that  
08:57 20 document.

21 REFEREE HACK: Mr. Sommers, your  
22 response.

23 MR. SOMMERS: First, your Honor, in  
24 regards to her complaint about the format of  
08:57 25 my motion or whatever, I really don't know