



O'NEIL CANNON
HOLLMAN DEJONG & LAING s.c.

Robert R. Gagan
Attorney at Law

Wisconsin's Premier Lawyers & Litigators

Robert.Gagan@wilaw.com

December 10, 2018

Tim Kowols
Door County Daily News
30 N. 18th, Ste. 8
Sturgeon Bay, WI 54235
Via email: kowols@doorcountydailynews.com

Re: Town of Gibraltar

Dear Mr. Kowols:

As legal counsel for the Town of Gibraltar, I am responding to the open records request you made on November 26, 2018 to the Town of Gibraltar's Clerk regarding attorney's fees on the lawsuit involving White Cottage Red Door. Enclosed is a copy of my invoice to the Town of Gibraltar since this lawsuit was filed. This matter has been turned over to the Town's insurance carrier.

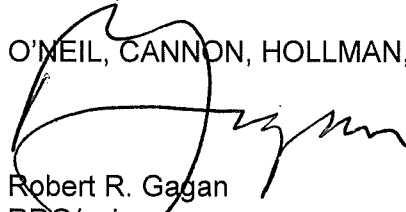
As it relates to this invoice, I have redacted entries related to communications, which would directly or indirectly reveal the substance of the confidential communications to legal counsel related to this litigation as it is protected under the attorney client privilege and attorney work product doctrines. See *Seifert v. School Dist. Of Sheboygan Falls*, 2007 WI App 207, ¶¶ 27-28, 305 Wis. 2d 582, 740 N.W.2d 177 (recognizing attorney client privilege and attorney work product doctrine as exceptions under Wis. Stat. § 19.35(1)(a)); see also *Lane v. Sharp Packaging Systems, Inc.*, 2002 WI 28, ¶ 40, 251 Wis. 2d 68, 640 N.W.2d 788.

To the extent you disagree with any of my above conclusions regarding non-disclosure of any the information you requested, please contact me to discuss the same as I would be happy to review any legal authority or argument you may have that is contrary to my determinations, and reconsider the Town's response in light of such authority.

Pursuant to Wis. Stat. § 19.35(4) of the Wisconsin Statutes, you are hereby notified that this determination is subject to review by mandamus under Wis. Stat. § 19.37(1), or upon application to the District Attorney or Attorney General.

Sincerely,

O'NEIL, CANNON, HOLLMAN, DEJONG & LAING S.C.


Robert R. Gagan
RRG/caj
Enclosure

O'NEIL CANNON HOLLMAN DEJONG & LAING S.C.

111 East Wisconsin Ave., Suite 1400
Milwaukee, Wisconsin 53202-4870
Phone 414.278.6000

RICHARD SKARE, TOWN CHAIRMAN
TOWN OF GIBRALTAR
4097 HIGHWAY 42
P.O. BOX 850
FISH CREEK, WI 54212-0850

Bill Date 11/12/2018
Client Number 14933
Invoice Number 168583
Terms Net 30

MATTER: 00003 RE: WHITE COTTAGE RED DOOR, LLC.

FOR PROFESSIONAL SERVICES RENDERED

10/01/2018	PWZ	E-MAIL WITH [REDACTED] REGARDING SETTLEMENT NEGOTIATIONS.	0.10 hrs
10/01/2018	RRG	E-MAIL FROM ATTORNEY NESBITT; FORWARD THE DOCUMENT TO [REDACTED]; TELEPHONE CALL TO [REDACTED].	0.50 hrs
10/03/2018	RRG	TELEPHONE CALL TO [REDACTED] REGARDING THE WHITE COTTAGE RED DOOR MATTER; REVIEWED WISCONSIN STATUTES AND LEAGUE OF WISCONSIN MUNICIPALITIES OPINIONS REGARDING [REDACTED] REVIEWED CASE LAW REGARDING [REDACTED].	2.70 hrs
10/10/2018	GCK	CONFER WITH [REDACTED] REGARDING [REDACTED]	0.20 hrs
10/10/2018	PWZ	RECEIVE, REVIEW, AND ANALYZE SUMMONS AND COMPLAINT; E-MAIL WITH [REDACTED] AND [REDACTED] REGARDING SAME.	0.30 hrs
10/10/2018	RRG	RECEIPT AND INITIAL REVIEW OF THE SUMMONS AND COMPLAINT; FORWARDED THE COMPLAINT TO [REDACTED].	1.50 hrs
10/11/2018	PWZ	E-MAIL WITH [REDACTED] REGARDING [REDACTED]	0.20 hrs
10/11/2018	RRG	CONTINUED TO REVIEW THE COMPLAINT AND THE STATUTES AND LAW CITED IN THE COMPLAINT; REVIEWED THE TOWN'S ORDINANCE; E-MAILS WITH [REDACTED] TELEPHONE CALL TO [REDACTED].	2.60 hrs
10/12/2018	PWZ	E-MAIL WITH [REDACTED] REGARDING [REDACTED] AND REGARDING STRATEGY FOR ANSWER TO COMPLAINT.	0.20 hrs
10/12/2018	RRG	TELEPHONE CALL FROM [REDACTED] REGARDING THE WHITE COTTAGE RED DOOR, LLC LAWSUIT; REVIEWED THE COMPLAINT; REVIEWED STATUTES AND THE WISCONSIN CONSTITUTION [REDACTED] TELEPHONE CALL TO [REDACTED] REGARDING THE [REDACTED] REGARDING THIS ISSUE; REVIEWED [REDACTED]	3.40 hrs
10/15/2018	RRG	REVIEWED DOCUMENTS AND PLEADINGS; TELEPHONE CALL TO [REDACTED]	0.70 hrs

10/17/2018	PWZ	PHONE CALL WITH [REDACTED] REGARDING RESPONSE TO COMPLAINT.	0.10 hrs
10/17/2018	RRG	REVIEWED FILE AND TELEPHONE CALL TO [REDACTED] REVIEWED [REDACTED]; E-MAIL TO [REDACTED] TELEPHONE CALL TO [REDACTED]	0.80 hrs
10/18/2018	RRG	ATTENDED [REDACTED]	2.00 hrs
10/22/2018	RRG	RECEIPT AND REVIEW OF THE NOTICE AND MOTION TO ADMIT THE INSTITUTE FOR JUSTICE ATTORNEYS PRO HAC VICE; FORWARDED THIS INFORMATION TO [REDACTED] RESEARCH REGARDING [REDACTED]	1.80 hrs
10/24/2018	GCK	CONFER WITH [REDACTED] REGARDING CASE ISSUES, DOCUMENTS AND STATUS AND RESPONSIVE PLEADINGS ISSUES; REVIEW CASE PLEADINGS.	0.70 hrs
10/24/2018	RRG	TELEPHONE CALLS WITH [REDACTED]	0.30 hrs
10/26/2018	RRG	TELEPHONE CALLS AND E-MAILS WITH [REDACTED] AND [REDACTED] REGARDING [REDACTED]	0.30 hrs
10/26/2018	RRG	TELEPHONE CALL WITH [REDACTED] REVIEWED FILE AND FORWARDED DOCUMENTS TO [REDACTED] TELEPHONE CALL TO [REDACTED] REQUESTING [REDACTED]	1.50 hrs
10/29/2018	RRG	TELEPHONE CALLS WITH [REDACTED] RECEIPT AND REVIEW OF [REDACTED]	1.20 hrs
10/30/2018	RRG	REVIEWED FILE IN PREPARATION FOR MEETING AND ATTENDED MEETING [REDACTED] REVIEWED [REDACTED] FORWARDED INFORMATION TO [REDACTED] REVIEWED INFORMATION [REDACTED]	2.00 hrs
10/31/2018	GCK	CONFER WITH [REDACTED] REGARDING CASE SCHEDULE AND RESPONSIVE PLEADINGS.	0.10 hrs
10/31/2018	RRG	CONTINUED TO REVIEW [REDACTED]	0.80 hrs

TIMEKEEPER SUMMARY

KILLORAN, GRANT C.	1.00 hrs @ 455.00	\$455.00
ZIMMER, PAUL W	0.90 hrs @ 210.00	\$189.00
GAGAN, ROBERT R.	22.10 hrs @ 185.00	\$4,088.50

TOTAL FEES	24.00 hrs	\$4,732.50
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14933 TOWN OF GIBRALTAR
00003 WHITE COTTAGE RED DOOR, LLO

BILL SUMMARY

TOTAL FEES	\$4,732.50
TOTAL CURRENT CHARGES	<u>\$4,732.50</u>
NET CURRENT CHARGES	\$4,732.50

RRG

UNLESS OTHERWISE SPECIFIED BY TIME ENTRY DATE, FEES CHARGED ON THIS INVOICE ARE BASED ON 2018 RATES, WHICH WENT INTO EFFECT ON JANUARY 1, 2018. THIS NOTICE IS PROVIDED PURSUANT TO THE WISCONSIN SUPREME COURT RULES OF PROFESSIONAL CONDUCT.