

FILED

07-03-2026

Anna Maria Hodges

Clerk of Circuit Court

2026CV003233

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY

BRANCH 9

REGAL REXNORD CORPORATION,

Plaintiff,

vs.

Case No. 2026 CV 3233

CITY OF MILWAUKEE,

Defendant.

MOTION HEARING

Before the Honorable PAUL R. VAN GRUNSVEN

Circuit Court Judge presiding

Milwaukee County Courthouse

901 North 9th Street

Milwaukee, Wisconsin

June 29, 2026

Recorded and transcribed by:

Ray Kirsch, Statewide Court Reporter

A P P E A R A N C E S

SARA STELLPFLUG RAPKIN, Attorney at Law,
via Zoom, on behalf of the Plaintiff.

PHILIP FONS, Attorney at Law,
via Zoom, on behalf of the Plaintiff.

KYLE WILLIAM BAILEY, Attorney at Law,
via Zoom, on behalf of the Defendant.

P R O C E E D I N G S

(Proceedings commenced at 8:30 a.m.)

THE CLERK: 2026-CV-3233, Regal Rexnord Corporation
vs. City of Milwaukee. Appearances, please?

MS. RAPKIN: Good morning, Your Honor. Regal Rexnord
Corporation appears by the law firm of Reinhart Boerner
Van Deuren by Attorney Sara Rapkin and Philip Fons.

MR. BAILEY: Good morning. Assistant City Attorney
Kyle Bailey appears on behalf of the defendant, the City of
Milwaukee.

THE COURT: This is a motion for default judgment.
Summons and complaint sought a refund of excessive real estate
taxes. The plaintiffs are seeking \$831,498, or that's what
they're --

Is that what you're seeking, Ms. Rapkin?

MS. RAPKIN: Yes, Your Honor.

THE COURT: Summons and complaint was served on
April 14, looks like the deadline to answer was May 4.
Plaintiffs filed a motion for default judgment on May 20.
May 29, the City objected to default judgment and asked for
time to file an answer. June 10, the City filed an answer and
affirmative defenses, and I ordered a hearing. There was a
motion by the plaintiffs to strike, alleging no excusable
neglect.

Did you receive that, counsel for the defense?

1 MR. BAILEY: Yes, Your Honor.

2 THE COURT: What is your reaction to this?

3 MR. BAILEY: The reaction, Your Honor, is that the
4 City believes that there was -- that in this case, this was not
5 an issue of the City forgetting to file a response or choosing
6 not to file an answer. Frankly, we switched over to a new
7 computer record keeping system over the past year. We used to
8 be using something called ProLaw. We have now switched over to
9 Legal Files. There have been just numerous problems we have
10 had in that transition of cases, for lack of a better term,
11 sort of falling off the calendar in its entirety. And it
12 appears that that is what happened with this case. You know,
13 when we saw notice of the default motion, we were able to find
14 where the case was in Legal Files. And so that is why this
15 response has been delayed, purely because of technological
16 problems, not because of any sort of decision or, you know,
17 lack thereof to respond on the part of the City.

18 THE COURT: Have you filed an affidavit to that
19 effect?

20 MR. BAILEY: I have not. I would be more than happy
21 to if -- if the Court would like.

22 THE COURT: You know, I don't understand, Counsel.
23 You have got a sizable default judgment that's being sought
24 here, and I ask you for facts. And you -- today you give me
25 argument that you have computer problems. Why isn't that --

1 why is it that that wasn't filed? I mean --

2 MR. BAILEY: Your -- Your --

3 THE COURT: This is --

4 MR. BAILEY: I apologize for not filing an affidavit,
5 Your Honor. I thought that the City's letter attesting to the
6 fact that there were technological issues would --

7 THE COURT: Where is that?

8 MR. BAILEY: -- be sufficient.

9 THE COURT: What document is that?

10 MR. BAILEY: That would be -- hold on. It would be
11 document number 14.

12 THE COURT: I'm looking at document 14. It consists
13 of two pages.

14 MR. BAILEY: Yes. Line number -- paragraph -- or
15 line number two, "Defendant's failure to respond was the result
16 of scheduling conflicts and technology issues, not a willful
17 disregard of the Court's authority."

18 THE COURT: That's it? That's -- that's what you
19 want me to rely on? You talk about a letter that details these
20 technological problems that you and your office have
21 experienced for a year, and that's what I'm supposed to glean
22 from that? I mean, I don't get it. You're looking -- you're
23 staring at a sizable -- sizable judgment here, and you give me
24 this terse, two-page objection to the motion for default
25 judgment. And now today, you tell me, "Well, we have had these

1 problems, and things just get taken off the calendar."

2 What -- what's plaintiff's reaction?

3 MS. RAPKIN: Your Honor, that's precisely the concern
4 that we've had throughout this matter. We filed the motion.
5 We gave it some time before we filed the motion for default in
6 the first instance. Then we got that letter back, and we were
7 like, that doesn't meet the standard for excusable neglect. So
8 then we filed the motion to strike to preserve the issue, and
9 there was still no response. And so we've never had counsel
10 for the City reach out to us, we've not had -- it's -- it's
11 been befuddling to be honest, Your Honor.

12 THE COURT: It is. It is to me, too. I just don't
13 understand the sloppy work, and I'm not satisfied that the
14 responses rise to the level of that which would prevent me from
15 granting default quite frankly.

16 This is -- these terse, one statement things,
17 that's -- you know the stakes. You know the consequences. You
18 think that I would be getting more, and I have nothing of an
19 evidentiary value that would allow me to find excusable neglect
20 other than this statement you make today without any
21 evidentiary support and this terse statement.

22 Plaintiff's motion for default judgment is granted.
23 Counsel, prepare an order for my signature.

24 MS. RAPKIN: Thank you, Your Honor.

25 THE COURT: State that Court does not find good cause

1 for granting the defendant's objection to plaintiff's motion
2 for default judgment, that the record woefully -- woefully
3 fails to establish any good cause for relief from default
4 judgment. And I'm granting it.

5 If you're going to ask me to vacate a default
6 judgment or not grant default judgment, you have got to give me
7 more than this. And I don't find excusable neglect in this
8 instance.

9 And for that reason, Counsel, prepare an order for my
10 signature and tender it to me per the five-day rule. Indicate
11 that it is a final order for purposes for appeal and if the
12 City wants to take this up, the City can feel free to do so.

13 Anything further from the plaintiffs?

14 MS. RAPKIN: No, Your Honor.

15 THE COURT: Anything further from defense? Anything
16 further from the defense?

17 MR. BAILEY: Not at this time, Your Honor.

18 THE COURT: We're adjourned.

19 MR. BAILEY: Apologies.

20 THE COURT: Thank -- we're adjourned. Thank you.

21 (Proceedings concluded at 8:36 a.m.)
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C E R T I F I C A T I O N

I, Ray Kirsch, do hereby certify that I have been duly sworn as a Statewide Court Reporter for the Circuit Courts in the State of Wisconsin.

I further certify that I have carefully transcribed from and compared the foregoing pages with the original digital audio recording from said proceeding and that this transcript is true and correct to the best of my ability.

Dated this day July 3, 2026.

(Electronically signed)
RAY KIRSCH
Statewide Court Reporter