

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

TISSUE TECHNOLOGY, LLC, PARTNERS
CONCEPTS DEVELOPMENT, INC.,
OCONTO FALLS TISSUE, INC. and
TISSUE PRODUCTS TECHNOLOGY CORP.,

Plaintiffs,

v.

Case No. 14CV1203

TAK INVESTMENTS, LLC, and
SHARAD TAK,

Defendants.

PLAINTIFFS' PROPOSED FINDINGS OF FACT

Plaintiffs, Tissue Technology, LLC, Partners Concepts Development, Inc., Oconto Falls Tissue, Inc. and Tissue Products Technology Corp., by its attorneys, Terschan, Steinle, Hodan & Ganzer, Ltd., by Michael J. Ganzer, pursuant to Civ. L. R. 56(b)(1)(c), submits the following Proposed Findings of Facts as to which there is no genuine dispute and which entitle these plaintiffs to judgment as a matter of law.

1. The plaintiff companies entered into certain agreements with defendant Tak Investments, LLC and Sharad Tak including four Promissory Notes and a Final Business Terms Agreement. (Tak Declaration ¶2, Complaint ECF 1, Amended Complaint ECF 49).

2. The Final Business Terms Agreement and the four Promissory Notes are attached to the Complaint and the Amended Complaint on file herein. (ECF 1, ECF 49).

3. Defendants Tak Investments, LLC and Sharad Tak, received consideration for the issuance of the four Promissory Notes. (Deposition Transcript of Ronald Van Den Heuvel at pgs. 60-67).

4. The four Promissory Notes were issued as a result of a funding gap when defendant Tak Investments, LLC purchased the Oconto Falls tissue mill from the plaintiff companies. (Deposition Transcript of Ronald Van Den Heuvel at pgs. 60-67).

5. The Notes were intended to satisfy certain creditors of the plaintiff companies and so as to ensure that defendant Tak Investments, LLC would receive clean title to the Oconto Falls tissue mill. (Deposition Transcript of Ronald Van Den Heuvel at pgs. 60-67).

6. The plaintiff companies are in possession of those Notes and they remain unpaid. There is currently due and owing on those investment notes the sum of \$37,028,423.00. (Declaration of Edward Kolasinski, CPA).

Dated this 11th day of August, 2017.

TERSCHAN, STEINLE, HODAN
& GANZER, LTD.
ATTORNEYS FOR PLAINTIFFS,

BY: /s/ MICHAEL J. GANZER

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