

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH III

BROWN COUNTY

HILLIARD LIMITED PARTNERSHIP,

Plaintiff,

v.

Case No: 08-CV-2265

Case Code: 30301

EVERGREEN DEVELOPMENT, LLC and
RONALD VAN DEN HEUVEL,

Defendants.

**AFFIDAVIT OF MICHAEL J. KIRSCHLING
IN SUPPORT OF MOTION TO WITHDRAW AS ATTORNEYS**

STATE OF WISCONSIN)
)SS
BROWN COUNTY)

MICHAEL J. KIRSCHLING, being sworn on oath, states as follows:

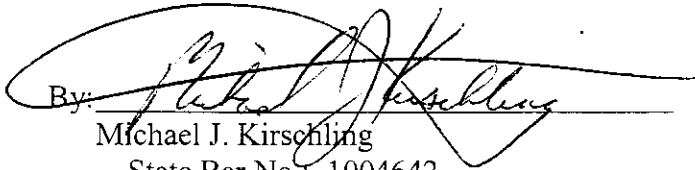
1. That I am an attorney duly licensed to practice law in the State of Wisconsin.
2. I was one of the attorneys for the Defendants Evergreen Development, LLC and Ronald Van Den Heuvel, in the above-entitled matter and I make this affidavit based upon personal knowledge.
3. Evergreen Development, LLC and Ronald Van Den Heuvel, both personally and as the managing member of the LLC, have failed to compensate the firm for its services incurred to date in representing the parties in this matter though they agreed they would provide such compensation.
4. The firm has made repeated requests of the LLC and Mr. Van Den Heuvel to pay the outstanding arrearages but to date, no payments have been forthcoming.



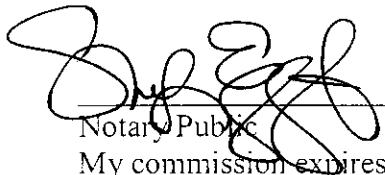
5. To continue representation of the LLC and Mr. Van Den Heuvel in this matter without payment for attorney fees incurred in continuing such representation will cause the firm undue financial hardship.

6. This affidavit is being submitted in Support of Motion to Withdraw as Attorneys.

DATED this 2nd day of January, 2009.

By: 
Michael J. Kirschling
State Bar No.: 1004642


Sworn to and subscribed before
me this 2 day of January, 2009.


Notary Public
My commission expires on 12/11/11

POST OFFICE ADDRESS:

444 Reid Street, Suite 200
P.O. Box 5306
De Pere, WI 54115
Telephone: (920) 336-5766
Facsimile: (920) 336-5769

I CERTIFY THAT ON January 2, 2009
I SERVED THE WITHIN DOCUMENT, BY MAIL,
POSTAGE PREPAID, PURSUANT TO RULE
801.14(2) WIS. RULES OF CIVIL PROCEDURE.

Stellpflug Law, S.C.

BY: _____
TO: Ross Nova, Esq.
Evergreen Development, LLC
Ronald Van Den Heuvel