

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,
Plaintiff,

v.

Case No. 16 CR 64

RONALD D. VAN DEN HEUVEL,
Defendant.

MEMORANDUM IN SUPPORT OF MOTION FOR RETURN OF PROPERTY

The defendant hereby incorporates by reference the Motion, Memorandum, and supporting exhibits submitted under separate cover in his Motion to Suppress Physical Evidence.

The five search warrants were all issued and executed on July 2, 2015. Continuous attempts were made to obtain the return of the massive volume of seized documents in the ensuing months. Eventually, on August 8, 2016, representatives of Brown County returned some of the items which had been taken. The attached email from Phil Reinhart indicates that he has examined the returned materials and found that a significant amount was missing.

During the evidentiary hearing, witnesses will demonstrate that the still missing materials include, but are not limited to, employee payroll records, tax records, accounts payable records, vendor statements, invoices, corporate records, business formation documents, and bank statements for companies not within the purview of the search warrant.

It is maintained that many of the documents, which have yet to

be given back to the defendant are not those which have been replicated through the discovery process. They are necessary for the continuation of business enterprises of the defendant. There is no lawful justification for the initial search, seizure, or subsequent retention. Accordingly, the defendant respectfully requests an order requiring the immediate return of items seized during the search warrant which have not already been returned to the defendant.

Dated at Milwaukee, Wisconsin, this 16th day of June, 2017.

Respectfully submitted,

/s/ Robert G. LeBell

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Ron Van Den Heuvel

From: Phil Reinhart
Sent: Thursday, December 29, 2016 9:17 AM
To: Ron Van Den Heuvel
Cc: Ed Kolasinski; Tami Phillips
Subject: Missing file cabinets/records

Categories: PRINTED

Ron,

To recap our conversation yesterday.

Recently Tami, Ed and myself were over at your office to attempt to find some financial records related to the past few years in order to create financial statements and reconcile expenditures and revenues.

We found many of the recent years records were not returned to you and found a number of empty boxes that we can only assume contained some of this information.

Additionally, specific to file cabinets in Tami's old office that should have had a lot of the records we needed, we discover that the files cabinets in her office were not returned.

- * (2) grey 5-drawer file cabinets
- * (1) tan 4-drawer file cabinet
- * (2) tan 2 drawer file cabinets that were under the credenza behind her desk

These files contained tax returns for various companies, open A/P and paid A/P records, A/R records, vendor statement, payments and invoices, Bank Statements from 2010 to Sept 2013, Employee payroll, payroll related records (401K, etc.) and tax records(W-2s), checkbooks related to bank statements for companies like Nature's Choice Tissue/EARTH, TPTC, Tissue Technology, Eco Fibre, ST Paper and others.

The lack of this information seriously impedes our company's ability to create the necessary company related documentation for the past years.

Thank you for your attention to this matter.

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PLEASE NOTE NEW EMAIL ADDRESS, PHONE NUMBER AND MAILING ADDRESS