

**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 TO SUPPRESS PHYSICAL EVIDENCE

The defendant has moved to suppress evidence seized from the following locations:

- 2077 Lawrence Drive, Suite A;
- 2077 Lawrence Drive, Suite B;
- 500 Fortune Avenue;
- 2107 American Boulevard; and
- 2303 Lost Dauphin Road.

INTRODUCTION

On July 2, 2015, Brown County Circuit Court Judge Donald Zuidmulder issued five search warrants for the following locations in Brown County, Wisconsin, which were "occupied, rented, or owned" by Ronald Van Den Heuvel. (See attached search warrants (Exhibit I) and application (Exhibit II)). The substance of the allegations of each search warrant is the same, only the property description differs.):

- 2077 Lawrence Drive, Suite A;

- 2077 Lawrence Drive, Suite B;
- 500 Fortune Avenue;
- 2107 American Boulevard; and
- 2303 Lost Dauphin Road.

The 2077 Lawrence Drive location houses the office of the defendant Ronald Van Den Heuvel's business, Green Box, as well as the office of at least two other separate businesses. The building at 2107 American Boulevard is the address of Patriot Tissue, and 500 Fortune Avenue is the address for Eco Fibre. Van Den Heuvel is the majority owner of Green Box, Patriot Tissue, and Eco Fibre. 2303 Lost Dauphin Road is Van Den Heuvel's home in the town of Lawrence.

All five warrants were issued on the application of Sgt. Mary Schartner of the Brown County Sheriff's Department. The warrants authorized the seizure of a broad array of documents and computers, which were allegedly used in the commission of, or constituted evidence of the crime of theft under Wis. Stat. §943.20(1)(d) and securities fraud under Chapter 551 of the Wisconsin Statutes.

The warrants were executed on the same day that they were issued. Schartner and the other officers seized a vast amount of document and numerous computers from these five locations, estimated to be five truck loads.

Van Den Heuvel brings this motion on the grounds that the search warrants were overbroad, the warrant did not state with

sufficient particularity which crimes the issuance of the warrant would aid in their prosecution, and thousands of items were seized outside the scope of the warrants.

SUMMARY OF ARGUMENT

The search warrants issued by Judge Zuidmulder were overbroad on their face with respect to the seizure of documents, and the seizure and searching of computers. Any limitations on the face of the warrants were flagrantly disregarded by the officers executing the warrants. The overbroad warrants, along with the manner in which they were executed, constituted a general search in violation of the Fourth Amendment.

Because the warrants were overbroad the officers acted in flagrant disregard of their terms. As a consequence thereto, all evidence seized pursuant to the execution of the warrants was obtained illegally by the police. Consequently, at no point in the future can either the materials taken through the warrant or any derivative evidence be used in any criminal or collateral proceeding.

ARGUMENT

A. The search warrants were facially overbroad.

The core purpose of the Fourth Amendment is to protect against general searches. In *Warden v. Hayden*, 387 U.S. 294 (1967), the Supreme Court recognized the importance of the Fourth Amendment by noting that, "it was a reaction to the evils of the use of the

general warrant in England and the writs of assistance in the Colonies, and was intended to protect against invasions of 'the sanctity of a man's home and the privacies of life.'" *Warden* at 301, *Boyd v. U.S.*, 116 U.S. 616, 630 (1886). The Supreme Court in *Andresen v. Maryland*, 427 U.S. 463 (1976), reiterated the prohibition against general searches.

"General warrants of course, are prohibited by the Fourth Amendment. '(T)he problem (posed by the general warrant) is not that of intrusion Per se, but of a general, exploratory rummaging in a person's belongings(The Fourth Amendment addresses the problem) by requiring a 'particular description' of the thing to be seized.' *Coolidge v. New Hampshire*, 403 U.S. 443, 467, 91 S.Ct. 2022, 2038, 29 L.Ed.2d 564 (1971). This requirement 'makes general searches . . . impossible and prevents the seizure of one thing under a warrant describing another. As to what is to be taken, nothing is left to the discretion of the officer executing the warrant.' '*Stanford v. Texas*, 379 U.S. 476, 485, 85 S.Ct. 506, 512, 13 L.Ed.2d 431 (1965), quoting *Marron v. United States*, 275 U.S., at 196, 48 S.Ct. at 76.'" *Andresen* at 480.

The particularity requirement of the Fourth Amendment prevents law enforcement officers from executing general warrants that permit an "exploratory rummaging" through a person's belongings in search of evidence of a crime. *Coolidge v. New Hampshire*, 403 U.S. 443, 467 (1971). See also, *U.S. v. Jones*, 54 F.3d 1285 (1995). The Seventh Circuit has echoed the concerns expressed by the Supreme Court in *U.S. v. Stefonek*, 179 F.3d 1030 (1990): ". . . one of the purposes of the Fourth Amendment was to outlaw general warrants." *Stefonek* at 1033. In *Jones*, the court stated:

"In analyzing this claim, we begin with the well-established proposition that '[t]he proceeding by search warrant is a drastic one, and must be carefully circumscribed so as to prevent unauthorized invasions of the sanctity of a man's home and the privacies of life.' *Berger v. New York*, 388 U.S. 41, 58, 87 S.Ct. 1873, 1883, 18 L.Ed.2d 1040 (1967) (quotations and citations omitted). General warrants do not satisfy the requirement of the Fourth Amendment that the warrant contain a description of the place to be searched and the persons or things to be seized. U.S. Constitution amend. IV; see *Dalia v. United States*, 441 U.S. 238, 255, 99 S.Ct. 1682, 1692, 60 L.Ed.2d 177 (1979)." *Jones* at 1289.

"In practice, courts have therefore demanded that the executing officers be able to identify the things to be seized with reasonable certainty and that the warrant description must be as particular as circumstances permit.' *United States v. Brown*, 832 F.2d 991, 996 (7th Cir. 1987), cert. denied, 485 U.S. 908, 108 S.Ct. 1084, 99 L.Ed.2d 243 (1988)." *Jones* at 1290.

The court has similarly held that the particularity requirement embodies two concerns: (1) the deterrence of general exploratory rummaging in a person's belongings, and (2) that the scope of a lawful search will be limited to the places in which there is probable cause that it may be found. *U.S. v. Nafzger*, 965 F.2d 213, 215 (1992). See also *United States v. Upham*, 168 F.3d 532, 535 (1st Cir. 1999) (superseded by rule as stated in *U.S. v. Loera*, 182 F.Supp.3d 1173 (2016)). First, the warrant must describe the things to be seized with sufficiently precise language so that it tells the officers how to separate the items properly subject to seizure from irrelevant items. See *Marron v. United States*, 275 U.S. 192, 196 (1927) ("as to what is to be taken, nothing is left to the discretion of the officer executing the warrant"). Second,

the description of the things to be seized must not be so broad that it encompasses the items that should not be seized. See *Upham*, 168 F.3d at 535. Put another way, the description in the warrant of the things to be seized must be limited to the scope of the probable cause established in the warrant. See *In Re: Grand Jury Investigation Concerning Solid State Devices*, 130 F.3d 853, 857 (9th Cir. 1997). Considered together, these two elements of the particularity requirement forbid agents from obtaining "general warrants" and instead require agents to conduct narrow searches that attempt to "minimize unwarranted intrusions upon privacy." *Andresen v. Maryland*, 427 U.S. at 482, n.11 (1976).

The inquiry is whether an officer executing the warrant would reasonably know what items are to be seized. *United States v. Hall*, 142 F.3d 988, 996 (7th Cir. 1998). "Warrants are conclusively invalidated by their substantial failure to specify as nearly as possible the distinguishing characteristic of the goods to be seized." *United States v. Leary*, 846 F.2d 592, 600 (10th Cir. 1988) (citation omitted). The "[f]ailure to employ the specificity available will invalidate a general description in a warrant." *United States v. Cook*, 657 F.2d 730, 733 (5th Cir. 1981).

Of particular concern is when wide ranging leave is granted to the searchers to confiscate every scrap of paper, unlimited varieties of physical evidence and all computerized information. The police must use caution when seeking authority to seize a broad

class of information such as documents or computer data. See, e.g. *Leary*, 846 F.2d at 603, n.18 (“Search warrants for documents are generally deserving of somewhat closer scrutiny with respect to the particularity requirement because of the potential they carry for a very serious intrusion into personal privacy”) (citation omitted).

The rules of search warrant particularity apply equally to the search of computers and related devices such as cell phones. In *Riley v. California*, 134 S.Ct. 2473, 189 L.Ed.2d 430 (2014), the United States Supreme Court recognized the privacy interests invoked by the search of cell phones - which are computers potentially containing significant amounts of information - and held that police are required to obtain a search warrant before searching a cell phone’s contents. *Id.* at 2488.

Recently, several magistrate judges in the federal system have had the opportunity to address the sufficiency of search warrant applications by the government for computers and cell phones. The magistrate judges in four cases denied the applications on particularity grounds because the application did not include a sufficiently detailed protocol explaining how the search of the devices would be conducted so as to limit the searches to the items authorized to be seized. See, *In the Matter of the Search of ODYS LOOX Plus Tablet*, 2014 WL 1063996 (D.D.C.); *In the Matter of the Search of Apple iPhone*, 2014 WL 1239702 (D.D.C.); *In the Matter of*

the Search of premises known as a Nextel Cellular Telephone, 2014 WL 2898262 (D. Kan.); and *In the Matter of the Search of the premises known as Three Cellphones and One Micro-SD Card*, 2014 WL 3845157 (D. Kan.).

In *In re the Search of 3817 W. West End, First Floor Chicago, Illinois 60621*, 321 F.Supp.2d 953, 957 (N.D.Ill. Eastern Division, 2004), the court noted, "a number of courts addressing the issue have found tha the search and seizure of a computer requires careful scrutiny of the particularity requirement". See *U.S. v. Carey*, 172 F.3d 1268, 1275, n.7 (10th Cir. 1999) and *U.S. v. Barbuto*, 2001 WL 670930 (D.Utah April 12, 2001). In *U.S. v. Hunter*, 13 F.Supp.2d 574, 583-84 (D.VT 1998), the court noted that "computer searches present the same problem as document searches - the intermingling of relevant and irrelevant material - but to a heightened degree". The analysis in the *First Floor Chicago* case was as follows:

First, it is frequently the case with computers that the normal sequence of "search" and then selective "seizure" is turned on its head. Because of the difficulties of conducting an on-site search of computers, the government frequently seeks (and, as here, obtains), authority to seize computers without any prior review of their contents.

Second, that is significant in this case because of the substantial likelihood that the computer contains an "intermingling" of documents evidencing the alleged tax fraud, with documents that the government has no probable cause to seize. While the warrant application here established probable cause to believe that the computer may contain information of tax fraud, it did not contain

information indicating that the computer contains nothing but information of tax fraud. The application contains no evidence that Ms. Williams's computer was dedicated solely to the alleged fraudulent activity; or that every return that Ms. Williams prepared was fraudulent; or that she did not use the computer for the full range of legitimate activities for which people typically use home computers.

Third, we consider the extraordinary volume of information that may be stored even on a home computer. A megabyte of memory holds the equivalent of 500 typewritten pages of text. MANUAL FOR COMPLEX LITIGATION § 11.446, at 77. Even a modest home computer today frequently has 512 megabytes of memory (if not more), which translates into capacity of 256,000 pages of information. A floppy disk (some number of which were seized here) has a capacity of 1.44 megabytes, which translates into a capacity of 720 pages of plain text. *Id.* The capacity of the computer to store these large quantities of information increases the risk that many of the intermingled documents will have nothing to do with the alleged criminal activity that creates the probable cause for a search and seizure.

Fourth, while computers present the possibility of confronting far greater volumes of documents than are typically presented in a paper document search, computers also present the tools to refine searches in ways that cannot be done with hard copy files. When confronting a file cabinet full of papers, there may be no way to determine what to seize without doing some level of review of everything in the cabinet, as "few people keep documents of their criminal transactions in a folder marked `[crime] records.'" *Hunter*, 13 F.Supp.2d at 582 (quoting *United States v. Riley*, 906 F.2d 841, 845 (2d Cir.1990)). Thus, in that setting, it may be inevitable that innocuous records must be examined to determine whether they fall into the category of those papers covered by the search warrant. *Andresen v. Maryland*, 427 U.S. 463, 482 n. 11, 96 S.Ct. 2737, 49 L.Ed.2d 627 (1976).

By contrast, computer technology affords a variety of methods by which the government may tailor a search to target on the documents which evidence the alleged criminal activity. These methods include limiting the search by date range; doing key word searches; limiting

the search to text files or graphics files; and focusing on certain software programs. See *Carey*, 172 F.3d at 1276. Of course, these are not the exclusive means of focusing a computer search, and they are not the means that might be appropriate in every case. But, the existence of these tools demonstrates the ability of the government to be more targeted in its review of computer information than it can be when reviewing hard copy documents in a file cabinet.

We now consider how these considerations relevant to computer searches affect the particularity requirement in this case. In so doing, we use the factors set forth in *Spilotro* in determining the degree of particularity required: "(1) whether probable cause exists to seize all items of a particular type described in the warrant, . . . ; (2) whether the warrant sets out objective standards by which executing officers can differentiate items subject to seizure from those which are not, . . . ; and (3) whether the government was able to describe the items more particularly in light of the information available to it at the time the warrant was issued." *Spilotro*, 800 F.2d at 963. We address each of these factors in turn.

First, there is probable cause to believe that there are some documents on the computers that constitute evidence of the alleged criminal activity. However, as explained above, those documents likely are intermingled with other, innocent materials in which the government has no interest. Thus, there is not probable cause to believe that everything on the computers is evidence of the alleged criminal activity.

Second, the warrant – as well as the application – fails to set forth "objective standards by which executing officers can differentiate items subject to seizure from those which are not." *Spilotro*, 800 F.2d at 963. The warrant merely describes the computers and related materials to be seized; it does not specify what objective standards the government proposes to use "to specify what types of files were sought in the searching of the two computers so that personal files would not be searched." *Barbuto*, 2001 WL 670930, *5; see also *Carey*, 172 F.3d at 1275 (when confronting a situation of intermingled computer documents, "law enforcement must engage in the intermediate step of sorting various types

of documents and then only search the ones specified in the warrant").

Third, we consider whether the government was able to provide a better description of how it seeks to go about searching the computer for information of criminal activity. "[G]eneric classifications in a warrant are acceptable only when a more precise description is not possible." *United States v. Kow*, 58 F.3d 423, 427 (9th Cir.1995). The government has not even attempted to show that it cannot provide search criteria in the context of this warrant.

In addressing searches for hard copy documents and seizures of telephone communications, the Supreme Court has admonished that "responsible officials, *including judicial officers*, must take care to assure that [searches] are conducted in a manner that minimizes unwarranted intrusion upon privacy." *Andresen*, 427 U.S. at 482 n. 11, 96 S.Ct. 2737 (emphasis added). That admonition applies with even more force in the context of computer searches, where the volume of intermingled documents may be substantial and there are tools to focus those searches that are unavailable for searches of hard copy documents. 961*961 We conclude that, as a practical matter, the government can provide the Court with a protocol that would supply particularity to the search of the computers. And, we conclude that as a matter of constitutional law, the government must do so in order to satisfy the particularity requirement of the Fourth Amendment." *First Floor Chicago* at 958-61.

In *U.S. v. Leary*, the warrant authorized the seizure of:

"Correspondence, Telex messages, contracts, invoices, purchase orders, shipping documents, payment records, export documents, packing slips, technical data, recorded notations, and other records and communications relating to the purchase, sale and illegal exportation of materials in violation of the Arms Export Control Act, 22 U.S.C. §2778 and the Export Administration Act of 1979, 50 U.S.C. App. 2410." *Id.* At 594.

The warrant affidavit alleged violations of the Arms Export Control Act. Twenty boxes of records were seized, including the defendant's personal financial information, his life insurance

policy, and correspondence relating to other businesses not involved in the investigation. *Id.* The Tenth Circuit found that the warrant was overbroad, and violated the Fourth Amendment.

The *Leary* court found the warrant to be overbroad because it authorized a general search for evidence of a federal crime. The court noted "the particularity requirement [also] ensures that a search is confined in scope to particularly describe evidence relating to a specific crime for which there is demonstrated probable cause." *Leary* at 600, citing *Voss v. Bergsgaard*, 774 F.2d 402, 404 (10th Cir. 1985). The court held that the mere citation to a broad criminal statute is not a sufficient limitation on a search warrant. *Id.* at 601. See also, *United States v. Cardwell*, 680 F.2d 75, 77 (9th Cir. 1982) (warrant overbroad where only limitation on the search and seizure of appellant's business papers was requirement that they be evidence of tax evasion under 26 U.S.C. §7201); *Rickert v. Sweeney*, 813 F.2d 907, 909 (8th Cir. 1987) (warrant limited only by references to the general conspiracy statute and tax evasion statute did not limit the search in any substantive manner); *United States v. Spilotro*, 800 F.2d 959, 965 (9th Cir. 1986) (effort to limit discretion solely by reference to criminal statute inadequate); *United States v. Abrams*, 615 F.2d 541, 542-43 (1st Cir. 1980) (warrant limited only by reference to records and federal fraud statute is overbroad); *In re: Lafayette Academy*, 610 F.2d 1, 3 (1st Cir. 1979) (overbroad warrant allowed

seizure of numerous documents, limited only by the qualification that the seized item be evidence of violations of certain statutes).

The *Leary* court also found that the warrant was overbroad on its face in stating that "We concluded that '[e]ven if the reference to Section 371 [the federal conspiracy statute] is construed as a limitation, it does not constitute a constitutionally adequate particularization of the items to be seized.'" The court also noted in support of its decision, that the list of business records to be seized did not provide any meaningful limitation to the search "the warrant encompassed virtually every document that one might expect to find in a modern export company's office." *Leary* at 602. See also *In re Grand Jury Proceedings (Young)*, 716 F.2d 493, 498 (8th Cir. 1983) ("laundry list of various type of records is insufficient to save the search warrant"); *Roberts v. U.S.*, 656 F. Supp. 929, 934 (S.D.N.Y 1987) (order reversed on other grounds by *U.S. v. Roberts*, 852 F.2d 671 (198) ("by listing every type of record that could conceivably be found in an office, the warrant effectively authorized the inspectors to cart away anything they could find on the premises."))

In the present case, the list of items to be seized appears to be identical for all five search warrants. The warrants contain no meaningful limitation on the documents, computers, and other items that could be seized. The warrant affidavit states at paragraph 6,

that the applicant reviewed CCAP (Wisconsin Circuit Court website) as well as records from TLO.com (a law enforcement database) which disclosed that the defendant had purportedly associated with approximately 45 business entities. It appears that the search warrants are replications of the recitation of the businesses from paragraph 6. With rare exception there is little reference in the affidavit to support a search of documents relating to the other business entities other than The Green Box entities: Earth and Patriot Tissue.

The warrant also authorizes search for items which are evidence of the crime of theft in violation of Wis. Stat. §943.20(1)(d) and the entire Chapter 551 (Securities Fraud). The search warrant authorization fails to delineate for which of the multitude of violations in Chapter 551 evidence is being sought. Virtually any document, file, record, or computer could be seized under the terms of the warrant if it may have constituted evidence of "theft" or "securities fraud."

The warrants authorized the seizure of ten categories of items as evidence of those two alleged offenses:

1. Computers and computer storage devices - without limitation;
2. Computer software - without limitation;
3. Items displaying computer passwords, access codes, user names and "other identifiers" - without limitation;

4. Any other digital storage device, such as cell phones, tablet devices and portable media players - without limitation;
5. "Papers," including but not limited to spreadsheets, binders, accounting ledgers - without limitation;
6. Microfiche files - without limitation;
7. "All business and financial records for organizations associated with Ron Van Den Heuvel" - the only limitation being "from December 31, 2010 to present" (the warrant then list thirty examples of the kinds of items that may be taken);
8. All tax returns - without limitation;
9. All schedule K-1's - without limitation;
10. All items that would "tend to show dominion and control of the property" - without limitation.

It is recognized that the Seventh Circuit has stated that despite the need for a warrant's declaration of reasonable specificity, "...it need not be elaborately detailed". *Russell v. Harms*, 397 F.3d 458, 464 (7th Cir. 2005), citing *U.S. v. Jones*, *supra*, (quoting *U.S. v. Somers*, 950 F.2d 1279, 1285 (7th Cir. 1991)). The decision further noted: "The level of specificity must be such...that the officers executing the warrant are able to identify the things to be seized with reasonable certainty. *Jones* at 1290. (quoting *United States v. Sleet*, 54 F.3d 303, 307 n. 1 (7th Cir. 1995))." *Russell* at 464. However, in this case the gross lack of particularity and failure to delineate which records were within

the permissible scope, in contrast to those which were prohibited, renders the search warrant a general search and invalid.

Clearly, the applicant could have limited the objects of the search to items which would have theoretically been evidence of the specific fraud scheme described. Seizing agents could have obtained a mirror image of the hard drive without seizing the item itself. Nothing in the warrant itself, or the application, hedged the exercise of the seizing agents' discretion. The authorized search permitted "a general rummaging for evidence of any type of . . . conspiracy or fraud". *U.S. v. White*, 541 F.Supp. 1181, 1186 (N.D.Ill., Eastern Division 1982) and *U.S. v. Roche*, 614 F.2d 6, 7 (1st Cir. 1980). As in *White*, the warrant in this case made every scrap of paper, and every other item of property, fair game for the searchers. Similarly, as in *White*, the seizing officer exercised their unhedged discretion from sweeping everything into their net - by a king of "rummaging", too broad to be countenanced under the Fourth Amendment.

The only possible limitation on the face of the warrants is found in category 7 - "all business and financial records for organizations associated with Ron Van Den Heuvel from December 31, 2010 to the present." This date limitation, however, is rendered meaningless by the broad scope of other categories. Moreover, the allowance to search for evidence of the records from 45 business

entities of which perhaps 42 are mentioned in the affidavit, is further evidence of the limitless scope of the warrant.

For example, category 5 authorizes the seizure of all "papers", without limitation. Since "business records and financial records" are also "papers", the time frame limitation in category 7 is nullified by the authority to seize all "papers" pursuant to category 5.

The *Leary* warrant listed virtually every kind of document one might expect to find in a business, just as the warrants do in the present case. Such a "laundry list" of items is inadequate under the Fourth Amendment. *Id.* at 602-603.

In *Leary* the court determined that information was available to the government to make the scope of the warrant more narrow. *Id.* at 604-605. The warrant could have been more limited with respect to the documents to be seized, and could have identified the criminal activity with more specificity than a mere citation to a statute. The failure to do so invalidated the general description of items to be seized. *Id.* at 605 (citations omitted).

Here, the Van Den Heuvel warrants failed to particularly describe the alleged offense, citing only the theft by fraud statute and the entire chapter of the Wisconsin securities law. The warrants also fail to identify the alleged victims and transactions that the seized items should have been limited to - according to Schartner's affidavit, transactions involving Marco Araujo and the

WEDC, for example. Similar to *Leary*, a fair reading of the twenty-three page affidavit suggests that this limiting information was available and should have been included on the face of the warrant.

The *Leary* court also found the warrant to be defective in that its scope was not limited to the probable cause showing in the application. *Id.* at 605. The Fourth Amendment requires the scope of the warrant to be limited to the specific things for which the probable cause finding is based. *Maryland v. Garrison*, 480 U.S. 79 (1987). See also, *United States v. Bentley*, 825 F.2d 1104, 1110 (7th Cir. 1987) (“When the probable cause covers fewer documents in a system of files, the warrant must . . . tell the officers how to separate the documents to be seized from others.”)

For the sake of argument, Van Den Heuvel submits that any probable cause showing in the Schartner application was greatly exceeded by the almost limitless categories of items and documents that the warrant authorized the officers to take.

As noted, a significant portion of the affidavit focuses on allegations involving Araujo and the WEDC, yet no parameters are placed on the face of the warrant to limit the seizures to documents pertaining to those transactions, or even to the Green Box Green Bay, NA business that, according to the warrant application, obtained the WEDC loan and obtained \$600,000 from Araujo. Instead, the warrant authorizes the seizure of any document associated with

any business owned or run by Van Den Heuvel, that "may constitute" evidence of theft or securities fraud.

Additionally, the Van Den Heuvel warrants are equally overbroad as applied to any computer search. There is no limitation at all in the warrants as to the manner in which any seized computers may be searched, the items that may be seized from the computers, or even when the searches must be completed.

The Van Den Heuvel warrants contain no protocol for computer searches or any limitation on the computer searches, except for the overly broad categories of documents to be seized. Consequently, this is an additional reason that the warrants are unconstitutional general warrants, and that all evidence seized pursuant to their execution must be returned.

B. The police flagrantly disregarded the scope of the warrants.

Whatever limitations this Court might find on the face of the warrants - and Van Den Heuvel does not concede there were any of substance - were flagrantly disregarded by the officers who executed the warrants. In effect, the warrants served as no limitation at all on what was seized. The evidence will show that the police conducted a general, exploratory search of each location.

Indeed, Schartner decided to cast a "wide net". This meant that even persons who were not named in the warrant at all, like Jeremy McGown and others who will be discussed below had their

property taken because they were associated with Ron Van Den Heuvel, not because it was authorized by the warrants.

"When a search is conducted in 'flagrant disregard' of the limitations found in the warrant, the Fourth Amendment's 'particularity requirement' is undermined and a valid warrant is transformed into a general warrant thereby requiring suppression of all evidenced seized under that warrant." *U.S. v Medlin*, 842 F.2d 1194, 1199 (19th Cir. 1988).

1. Seizures from 2077 Lawrence Drive, Suites A and B - Green Box Offices.

The search warrant inventories alone establish the expansive scope of seizures from the Green Box offices. (See attached inventories (Exhibit III)). Although the inventories contain only a general description of the items seized, they can be summarized in the following categories:

- 495 boxes of documents;
- 7 bags of evidence;
- 32 file cabinets; and
- 54 plastic totes of documents and records. (See attached photographs (Exhibit IV)).

Additionally, every computer hard drive was physically removed from the premises, as was the server.

The bounty retrieved from Lawrence drive was placed on pallets and transferred to waiting trucks. (See attached photographs

(Exhibit V)). The number of documents alone exceeds one half a million. The indiscriminate nature of the search is evidenced by the following items listed in the inventories:

1. a cashbox
2. a will
3. a passport
4. a golf bag
5. three bags of product
6. Plastic totes and contents
7. entire metal file cabinets and contents.

Further evidence of the sweeping limitless nature of the raid is the fact that six members of the Brown County Drug Task force participated in its execution. What possibly would narcotics investigators have to do at a search warrant execution for evidence of securities fraud? Or was the search team looking for evidence of other crimes, (drug related)?

Phil Reinhart, the Green Box Human Resources Director, has attempted to reconstruct what was taken from the Green Box offices in the search. His affidavit outlines items that were taken outside the scope of the search warrant. (See attached affidavit of Reinhart (Exhibit VI)). This list demonstrates that the seizure was without limit or attempt to ferret out which things fell within the scope and which did not.

- Virtually all paperwork, binders, documents, and file cabinets from both office suites. Reinhart estimates that approximately 60 to 80 boxes of materials were seized with respect to documents that pre-date January 1, 2010;
- approximately eight file cabinets of intellectual property-related documents dated prior to January 1, 2010;
- numerous licenses held by Van Den Heuvel, all issued prior to January 1, 2010;
- white boards (physically removed from the premises) and drawings;
- all closing documents related to Oconto Falls Tissue from 2007;
- personal letters written during the World War II era by Van Den Heuvel's father, who was stationed overseas, to Van Den Heuvel's mother;
- Van Den Heuvel family photographs;
- EPA diesel sediment samples;
- biofuel samples;
- tire oil samples;
- sugar to ethanol samples;
- pellet samples;
- cellulose to sugar samples;
- all Green Box computers including the server and backups to the system from both suites;

- numerous personal and work cell phones and personal computers taken from Green Box employees, and from non-Green Box businesses with offices there;
- Reinhart's personal papers, including business cards (both personal and professional), personal bills (WPS bill for his home, his daughter's student loans, credit car, water bill, etc.) and financial banking information (two personal checkbooks) from a personal binder in his office that were taken when he was allowed to return to his office escorted by the officers to retrieve his personal items.

Additionally, Reinhart also summarizes the evidence taken from his own office:

- past and current Green Box employee handbooks;
- all personnel files for past and current employees - this includes federal and state tax forms, contact information, performance review and any disciplinary activities, all benefit enrollment forms and/or changes, applications/resumes, employee contracts and compensation agreements, social security numbers, et. HIPPA issues;
- blank new hire packets that are given out to any new hires on their first day of employment;
- health and dental benefit enrollment packets provided to UHC and Guardian with the company's plan details and coverage information;

- all 401K blank new enrollment packets given to all employees upon meeting the eligibility criteria for the company plan;
- past and current company insurance policies and proposals;
- all updated job descriptions and associated pay rates documentation;
- all current and past OSHA logs for operations which our company is required to have on hand at all times to be in compliance with OSHA regulations;
- all SOP (standard operating procedures) documents for Green Box operations and training manuals for various positions;
- all MSDS (Material Safety Data Sheet) for operations, as required by OSHA for any manufacturing facility where chemicals are present.

As Reinhart points out, all Green Box computer hard drives were physically removed from the premises, as was the main server. Additionally, numerous individuals had their personal phones, iPads, and laptops taken.

The attached affidavit of Kelly Van Den Heuvel maintains that personal items clearly exceeding the scope of the authorized search were removed from the home or office of the defendant. (See attached affidavit (Exhibit VII) and search inventory (Exhibit VIII)). They include the following categories:

- doctors' records relating to her pregnancy;
- medical records of her children;

- personal computers;
- school records of her children;
- one of her children's computers;
- her personal computers;
- a Kindle Fire;
- and other medical records relating to her husband.

A review of the documents which have been provided by the government include voluminous records which predate any theoretical scope delineated in the warrant. The only reference to time parameters is in paragraph 7 which permits the unfettered seizure of all business and financial records for organizations associated with Ronald Van Den Heuvel from December 31, 2010 to July 2, 2015. The documents which predate the 2010 date are far too voluminous to enumerate in this brief.

It should also be noted that there are a myriad of documents which were seized pursuant to the warrant and which have been designated as "privileged" by the government. These documents, numbering in the hundreds, reference legal communications and other items protected by attorney-client privilege. This is further evidence of the ungoverned search and seizure conducted in this matter.

On July 28, 2015, several of those who suffered losses at the hands of the searching agents filed their own motion for return of property. See *In re: Ty Willihnganz, et al.*, Brown County Case No.

15-CV-1066. The motion remains pending. It was brought by four Green Box employees (Savannah Brault, Mike Garsow, Nancy Van Lanen, Meng Qiao), a lawyer who maintains a separate law practice with office at 2077 Lawrence Drive, Suite B (Ty Willihnganz), and the owner of a separate information technology business, Evolve MTS, LLC, who has an office there as well (Jeremy McGown). Copies of the affidavits those individuals filed in their motion for return of property are included in the appendix to this motion and are incorporated herein. (See attached affidavits (Exhibits IX)). They provide further evidence that the agents employed the documentary version of the famous directive from Captain Renault in *Casablanca* "Round up the usual suspects."

When one of those employees, Brault, tried to explain to an officer that her laptop was only for personal use, the officer responded that they were taking "all electronic equipment on the Green Box premises". Another officer told Reinhart that the officers would take all electronic and paper files in both suites.

Reinhart was also told by an officer that "there will be nothing left for your employees to do when we are done. Companies do not recover when we are done". Consistent with that statement, the police physically removed the Green Box computers from the premises, rather than copying them. As is now common in searches involving computers the officers clearly had the ability to copy or mirror the hard drives of those computers. As Reinhart points out,

the officers did that very thing with respect to the computers at Patriot Tissue and at Eco Fibre.

Not only were the Green Box computers removed, the Green Box data and phone lines were disabled by police. Those lines had to be repaired by a TDS technician.

It was not necessary for the police to physically remove all hard drives from the Green Box computers, take the server, seize employees' personal computers and drives, and disable data and phone lines, nor were those actions authorized by the search warrant.

2. Seizure form 2107 American Boulevard and 500 Fortune Avenue.

The inventory provided for the search of 2107 American Boulevard lists eleven file boxes of documents taken, another miscellaneous file box, and "samples of oils/chemicals," all without description of the specific contents.

Moreover, as established in the Reinhart affidavit, the police copied the hard drives of the computers at this location. No inventory or other record has been provided with respect to the documents and information taken from these computers by the police. These computers hold a significant amount of data much of which potentially falls outside of the scope of the warrant.

The inventory for the search of 500 Fortune Avenue indicates only a "thumb drive of photos and or video taken of machinery and contents of warehouse."

CONCLUSION

The defendant has demonstrated that the searches in this matter were invalid and violative of the Fourth Amendment. Each was a general search, overbroad, without specificity, without reference to a specific violation of law, and without proper limitation. The invalidity of the warrant further compromised the rights of the defendant in the manner in which it was executed. The seizures were unlimited in scope and encompassed literally everything that was not affixed to the premises and some items which were.

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

Respectfully submitted,

/s/ Robert G. LeBell

Robert G. LeBell, SBN 01015710
Attorney for Defendant
309 N. Water Street, Suite 350
Milwaukee, Wisconsin 53202
(414) 276-1233

STATE OF WISCONSIN)

)

SEARCH WARRANT

COUNTY OF BROWN)

TO: Sergeant Mary Schartner, a law enforcement officer of the Brown County Sheriff's Office, who has this day complained to this court, under oath, that on this day, in Brown County, in and upon certain premises in the City of De Pere and in said County, which premises are occupied, rented, or owned by persons named and unnamed to include

Ronald H. Van Den Heuvel, DOB [Redacted]-54, doing business as Green Box NA Green Bay, LLC; Green Box NA Detroit, LLC; RVDH Dvlpmnt; P.C.D.I. (Partners Concept Development Inc.); E.A.R.T.H. (Environmental Advanced Reclamation Technology HQ, LLC); Green Box NA, Green Box NA Wisconsin Op, LLC; Patriot Tissue, LLC; Patriot Services, Inc.; Tissue Depot; Tissue Technology, LLC; RVDH Development, LLC, Green Box Michigan, LLC; Green Box NA Georgia, LLC; Green Box NA Seattle, LLC; Green Box NA IL, LLC; Green Box NA Utah, LLC; R&K Development, Inc.; RVDH, Inc.; Tissue Products Technology Corporation; ACQCO, LLC; Green Box NA, LLC; Green Box International, LLC; PC Fibre Technology, LLC; Oconto Falls Tissue Incorporated; Custom Paper Products Incorporated; Waste Liquid Recovery Technology, LLC; Waste Poly Recovery Technology, LLC; PCPC, LLC; Waste Fiber Recovery Technology, LLC; Waste Tire Recovery Technology, LLC; Waste Material Recovery Technology, LLC; Nature's Choice Tissue, LLC; Green Box International II, LLC; KYHK, LLC; Recovering Aqua Resources; RAR Technology, LLC; Military Waste Recovery Technology, LLC; Waste Fiber Technology, LLC; ST Holdings, LLC; Stonehill Converting, LLC; Custom Forest Products Incorporated; CHAT, LLC; Boldt/Spirit Incorporated; and are described as follows:

A brown brick building with a brown asphalt-shingled roof situated in the southeast corner of a complex of buildings located at 2077 Lawrence Drive, City of De Pere, Brown County, Wisconsin, with the main entrance facing west toward Lawrence Drive—more specifically, Suite A, which is located in the northernmost part of the building.

EXHIBIT I

Also included are any vehicles on or adjacent to the premises, which are owned or operated by persons, located at the business at the time of the warrant's execution, including, but not limited to:

2010 Cadillac Escalade, black in color, with WI license plate 727VKL
2013 Cadillac Escalade, white in color, with WI license plate 729VKL

There are now located and concealed therein certain things which are:

1. Computer storage devices, media, and the digital content to include, but not limited to, floppy disks, hard drives, DVD discs, CD-ROM discs, flash drives, or other magnetic, optical, or mechanical storage equipment that can be accessed by computer to store or retrieve data.
2. Computer software and application software installation and operation media.
3. Items and/or documents containing or displaying passwords, access codes, usernames or other identifiers necessary to examine or operate items, software, or information seized.
4. Any other digital, electronic, or wireless device which has the capability to store, send, or receive electronic data to include, but not limited to, ("smart") cellular telephones, tablet devices, portable media players.
5. Papers, including, but not limited to, spreadsheets, binders, accounting ledgers.
6. Microfiche files.
7. All business and financial records for organizations associated with Ronald Van Den Heuvel, from December 31, 2010, to present, to include, but not limited to, invoices, checks, money orders, negotiable instruments, cash, credit cards, debit cards, financial journals, contracts, account receivable journals, fixed asset journals with accumulated depreciation, intellectual property journals, e.g., patents, trade-secrets, licenses, royalties, etc., with accumulated amortization, including all third party valuations of all intellectual property with method(s) used, notes receivable journal, equity ledgers (Include all signed membership unit certificates, with names, number of membership units purchased, capital contributed and certificate number. Also, include all corresponding agreements with investors, Income Statements, Statement of Assets, Liabilities and Equity, Operating Agreements, list of investors to whom money is still owed, credit card statements, bank statements, investment statements, emails and any other correspondence or documents (whether digital or written) related to business and financials of organizations associated with Ronald Van Den Heuvel.
8. All tax returns.
9. All Schedule K-1s.
10. Items that would tend to show dominion and control of the property searched, to include, but not limited to, utility bills, telephone bills, correspondence, rental agreements and other identification documents.

which things were used in the commission of, or may constitute evidence of the crime of **Theft** committed in violation of Section **943.20(1)(d)** of the Wisconsin Statutes and **Securities Fraud** under **Chapter 551** Wisconsin Statutes, the facts tending to establish the grounds for issuing a

search warrant are information given under oath by Sergeant Mary Schartner.


WHEREFORE, the said Sergeant Mary Schartner, a law enforcement officer, prays that a search warrant be issued to search said property, and if found, to seize the same and take the property into custody according to law and/or to take photographs of said property along with identifying numbers.

WHEREFORE, said law enforcement officer, Sergeant Mary Schartner, prays that a search warrant be issued to search said premises for said property and its contents.

NOW, THEREFORE, in the name of the State of Wisconsin, you, Sergeant Mary Schartner, and any necessary assisting law enforcement personnel, are commanded forthwith to search the said premises for the property aforesaid, and if the same or any portion thereof are found, you are commanded to seize them and hold them secure in your custody or the custody of the Sheriff.

FURTHERMORE, Sergeant Mary Schartner further reports that she is aware that information contained in and on computer-related components is static and not likely to be lost or destroyed. She further reports that the forensic examination of the aforementioned items referenced above will take a significant amount of time. Accordingly, she prays for extension of the warrant return times otherwise specified under WI Stats. 968.17 be permitted.

Dated this 2 day of July, 2015.



Honorable Donald R. Zander
Circuit Court Judge, Branch 2
Brown County, Wisconsin

Honorable _____
Court Commissioner
Brown County, Wisconsin

ENDORSEMENT OF LAW ENFORCEMENT OFFICER

Received by Sergeant Mary Schartner on this 2nd day of July, 2015, at 10:07 a.m.



Sgt. Mary Schartner
Law Enforcement Officer

STATE OF WISCONSIN)

)

SEARCH WARRANT

COUNTY OF BROWN)

TO: Sergeant Mary Schartner, a law enforcement officer of the Brown County Sheriff's Office, who has this day complained to this court, under oath, that on this day, in Brown County, in and upon certain premises in the City of De Pere and in said County, which premises are occupied, rented, or owned by persons named and unnamed to include Ronald H. Van Den Heuvel, DOB [Redacted] 54, doing business as Green Box NA Green Bay, LLC; Green Box NA Detroit, LLC; RVDH Dvlpmnt; P.C.D.I. (Partners Concept Development Inc.); E.A.R.T.H. (Environmental Advanced Reclamation Technology HQ, LLC); Green Box NA, Green Box NA Wisconsin Op, LLC; Patriot Tissue, LLC; Patriot Services, Inc.; Tissue Depot; Tissue Technology, LLC; RVDH Development, LLC, Green Box Michigan, LLC; Green Box NA Georgia, LLC; Green Box NA Seattle, LLC; Green Box NA II, LLC; Green Box NA Utah, LLC; R&K Development, Inc.; RVDH, Inc.; Tissue Products Technology Corporation; ACQCO, LLC; Green Box NA, LLC; Green Box International, LLC; PC Fibre Technology, LLC; Oconto Falls Tissue Incorporated; Custom Paper Products Incorporated; Waste Liquid Recovery Technology, LLC; Waste Poly Recovery Technology, LLC; PCPC, LLC; Waste Fiber Recovery Technology, LLC; Waste Tire Recovery Technology, LLC; Waste Material Recovery Technology, LLC; Nature's Choice Tissue, LLC; Green Box International II, LLC; KYHK, LLC; Recovering Aqua Resources; RAR Technology, LLC; Military Waste Recovery Technology, LLC; Waste Fiber Technology, LLC; ST Holdings, LLC; Stonehill Converting, LLC; Custom Forest Products Incorporated; CHAT, LLC; Boldt/Spirit Incorporated; and are described as follows:

A brown brick building with a brown asphalt-shingled roof situated in the southeast corner of a complex of buildings located at 2077 Lawrence Drive, City of De Pere, Brown County, Wisconsin, with the main entrance facing west toward Lawrence Drive—more specifically, Suite B, which is located in the northernmost part of the building.

Also included are any vehicles on or adjacent to the premises, which are owned or operated by persons, located at the business at the time of the warrant's execution, including, but not limited to:

2010 Cadillac Escalade, black in color, with WI license plate 727VKL
2013 Cadillac Escalade, white in color, with WI license plate 729VKL

There are now located and concealed therein certain things which are:

1. Computer storage devices, media, and the digital content to include, but not limited to, floppy disks, hard drives, DVD discs, CD-ROM discs, flash drives, or other magnetic, optical, or mechanical storage equipment that can be accessed by computer to store or retrieve data.
2. Computer software and application software installation and operation media.
3. Items and/or documents containing or displaying passwords, access codes, usernames or other identifiers necessary to examine or operate items, software, or information seized.
4. Any other digital, electronic, or wireless device which has the capability to store, send, or receive electronic data to include, but not limited to, ("smart") cellular telephones, tablet devices, portable media players.
5. Papers, including, but not limited to, spreadsheets, binders, accounting ledgers.
6. Microfiche files.
7. All business and financial records for organizations associated with Ronald Van Den Heuvel, from December 31, 2010, to present, to include, but not limited to, invoices, checks, money orders, negotiable instruments, cash, credit cards, debit cards, financial journals, contracts, account receivable journals, fixed asset journals with accumulated depreciation, intellectual property journals, e.g., patents, trade-secrets, licenses, royalties, etc., with accumulated amortization, including all third party valuations of all intellectual property with method(s) used, notes receivable journal, equity ledgers(Include all signed membership unit certificates, with names, number of membership units purchased, capital contributed and certificate number. Also, include all corresponding agreements with investors, Income Statements, Statement of Assets, Liabilities and Equity, Operating Agreements, list of investors to whom money is still owed, credit card statements, bank statements, investment statements, emails and any other correspondence or documents (whether digital or written) related to business and financials of organizations associated with Ronald Van Den Heuvel.
8. All tax returns.
9. All Schedule K-1s.
10. Items that would tend to show dominion and control of the property searched, to include, but not limited to, utility bills, telephone bills, correspondence, rental agreements and other identification documents.

which things were used in the commission of, or may constitute evidence of the crime of **Theft** committed in violation of Section **943.20(1)(d)** of the Wisconsin Statutes and **Securities Fraud** under **Chapter 551** Wisconsin Statutes, the facts tending to establish the grounds for issuing a

search warrant are information given under oath by Sergeant Mary Schartner.


WHEREFORE, the said Sergeant Mary Schartner, a law enforcement officer, prays that a search warrant be issued to search said property, and if found, to seize the same and take the property into custody according to law and/or to take photographs of said property along with identifying numbers.

WHEREFORE, said law enforcement officer, Sergeant Mary Schartner, prays that a search warrant be issued to search said premises for said property and its contents.

NOW, THEREFORE, in the name of the State of Wisconsin, you, Sergeant Mary Schartner, and any necessary assisting law enforcement personnel, are commanded forthwith to search the said premises for the property aforesaid, and if the same or any portion thereof are found, you are commanded to seize them and hold them secure in your custody or the custody of the Sheriff.

FURTHERMORE, Sergeant Mary Schartner further reports that she is aware that information contained in and on computer-related components is static and not likely to be lost or destroyed. She further reports that the forensic examination of the aforementioned items referenced above will take a significant amount of time. Accordingly, she prays for extension of the warrant return times otherwise specified under WI Stats. 968.17 be permitted.

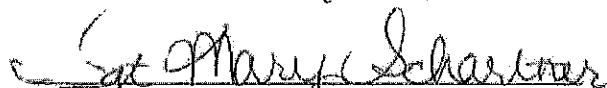
Dated this 2 day of July, 2015.


Honorable Donald A. Zaudah
Circuit Court Judge, Branch 2
Brown County, Wisconsin

Honorable _____
Court Commissioner
Brown County, Wisconsin

ENDORSEMENT OF LAW ENFORCEMENT OFFICER

Received by Sergeant Mary Schartner on this 2nd day of July, 2015, at 10:07a.M.



Law Enforcement Officer

STATE OF WISCONSIN)

)

SEARCH WARRANT

COUNTY OF BROWN)

TO: Sergeant Mary Schartner, a law enforcement officer of the Brown County Sheriff's Office, who has this day complained to this court, under oath, that on this day, in Brown County, in and upon certain premises in the Town of Lawrence, and in said County, which premises are occupied, rented, or owned by persons named and unnamed to include

Ronald H. Van Den Heuvel, DOB Redacted 4, doing business as Green Box NA Green Bay, LLC; Green Box NA Detroit, LLC; RVDH Dvlpmnt; P.C.D.I. (Partners Concept Development Inc.); E.A.R.T.H. (Environmental Advanced Reclamation Technology HQ, LLC); Green Box NA, Green Box NA Wisconsin Op, LLC; Patriot Tissue, LLC; Patriot Services, Inc.; Tissue Depot; Tissue Technology, LLC; RVDH Development, LLC, Green Box Michigan, LLC; Green Box NA Georgia, LLC; Green Box NA Seattle, LLC; Green Box NA IL, LLC; Green Box NA Utah, LLC; R&K Development, Inc.; RVDH, Inc.; Tissue Products Technology Corporation; ACQCO, LLC; Green Box NA, LLC; Green Box International, LLC; PC Fibre Technology, LLC; Oconto Falls Tissue Incorporated; Custom Paper Products Incorporated; Waste Liquid Recovery Technology, LLC; Waste Poly Recovery Technology, LLC; PCPC, LLC; Waste Fiber Recovery Technology, LLC; Waste Tire Recovery Technology, LLC; Waste Material Recovery Technology, LLC; Nature's Choice Tissue, LLC; Green Box International II, LLC; KYHK, LLC; Recovering Aqua Resources; RAR Technology, LLC; Military Waste Recovery Technology, LLC; Waste Fiber Technology, LLC; ST Holdings, LLC; Stonehill Converting, LLC; Custom Forest Products Incorporated; CHAT, LLC; Boldt/Spirit Incorporated; and are described as follows:

A two story, pinkish beige brick house, with attached garage, located at 2303 Lost Dauphin Road, in the Town of Lawrence, Brown County, Wisconsin. There is a wrought iron fence along the roadway frontage of the property, with a wrought iron gate. There is a circular shape window in the brick work façade above the second story of the front of the house.

Also included are any vehicles on or adjacent to the premises, which are owned or operated by

persons, located at the business at the time of the warrant's execution, including, but not limited to:

2010 Cadillac Escalade, black in color, with WI license plate 727VKL
2013 Cadillac Escalade, white in color, with WI license plate 729VKL

There are now located and concealed therein certain things which are:

1. Computer storage devices, media, and the digital content to include, but not limited to, floppy disks, hard drives, DVD discs, CD-ROM discs, flash drives, or other magnetic, optical, or mechanical storage equipment that can be accessed by computer to store or retrieve data.
2. Computer software and application software installation and operation media.
3. Items and/or documents containing or displaying passwords, access codes, usernames or other identifiers necessary to examine or operate items, software, or information seized.
4. Any other digital, electronic, or wireless device which has the capability to store, send, or receive electronic data to include, but not limited to, ("smart") cellular telephones, tablet devices, portable media players.
5. Papers, including, but not limited to, spreadsheets, binders, accounting ledgers.
6. Microfiche files.
7. All business and financial records for organizations associated with Ronald Van Den Heuvel, from December 31, 2010, to present, to include, but not limited to, invoices, checks, money orders, negotiable instruments, cash, credit cards, debit cards, financial journals, contracts, account receivable journals, fixed asset journals with accumulated depreciation, intellectual property journals, e.g., patents, trade-secrets, licenses, royalties, etc., with accumulated amortization, including all third party valuations of all intellectual property with method(s) used, notes receivable journal, equity ledgers (Include all signed membership unit certificates, with names, number of membership units purchased, capital contributed and certificate number. Also, include all corresponding agreements with investors, Income Statements, Statement of Assets, Liabilities and Equity, Operating Agreements, list of investors to whom money is still owed, credit card statements, bank statements, investment statements, emails and any other correspondence or documents (whether digital or written) related to business and financials of organizations associated with Ronald Van Den Heuvel.
8. All tax returns.
9. All Schedule K-1s.
10. Items that would tend to show dominion and control of the property searched, to include utility bills, telephone bills, correspondence, rental agreements and other identification documents.

which things were used in the commission of, or may constitute evidence of the crime of **Theft** committed in violation of Section **943.20(1)(d)** of the Wisconsin Statutes and **Securities Fraud** under **Chapter 551** Wisconsin Statutes, the facts tending to establish the grounds for issuing a search warrant are information given under oath by Sergeant Mary Schartner.

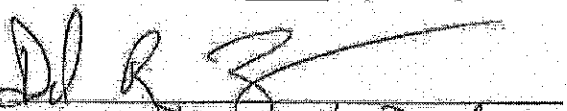
WHEREFORE, the said Sergeant Mary Schartner, a law enforcement officer, prays that a search warrant be issued to search said property, and if found, to seize the same and take the property into custody according to law and/or to take photographs of said property along with identifying numbers.

WHEREFORE, said law enforcement officer, Sergeant Mary Schartner, prays that a search warrant be issued to search said premises for said property and its contents.

NOW, THEREFORE, in the name of the State of Wisconsin, you, Sergeant Mary Schartner, and any necessary assisting law enforcement personnel, are commanded forthwith to search the said premises for the property aforesaid, and if the same or any portion thereof are found, you are commanded to seize them and hold them secure in your custody or the custody of the Sheriff.

FURTHERMORE, Sergeant Mary Schartner further reports that she is aware that information contained in and on computer-related components is static and not likely to be lost or destroyed. She further reports that the forensic examination of the aforementioned items referenced above will take a significant amount of time. Accordingly, she prays for extension of the warrant return times otherwise specified under WI Stats. 968.17 be permitted.


Dated this 2 day of July, 2015.


Honorable Donald R. Zund
Circuit Court Judge, Branch 2
Brown County, Wisconsin

Honorable _____
Court Commissioner
Brown County, Wisconsin

ENDORSEMENT OF LAW ENFORCEMENT OFFICER

Received by Sergeant Mary Schartner on this 2nd day of July, 2015, at 10:07 a M.


Sgt. Mary Schartner
Law Enforcement Officer

STATE OF WISCONSIN)

)

SEARCH WARRANT

COUNTY OF BROWN)

TO: Sergeant Mary Schartner, a law enforcement officer of the Brown County Sheriff's Office, who has this day complained to this court, under oath, that on this day, in Brown County, in and upon certain premises in the City of De Pere, and in said County, which premises are occupied, rented, or owned by persons named and unnamed to include

Ronald H. Van Den Heuvel, DOB (Redacted) 4, doing business as Green Box NA Green Bay, LLC; Green Box NA Detroit, LLC; RVDH Dvlpmnt; P.C.D.I. (Partners Concept Development Inc.); E.A.R.T.H. (Environmental Advanced Reclamation Technology HQ, LLC); Green Box NA, Green Box NA Wisconsin Op, LLC; Patriot Tissue, LLC; Patriot Services, Inc.; Tissue Depot; Tissue Technology, LLC; RVDH Development, LLC, Green Box Michigan, LLC; Green Box NA Georgia, LLC; Green Box NA Seattle, LLC; Green Box NA II, LLC; Green Box NA Utah, LLC; R&K Development, Inc.; RVDH, Inc.; Tissue Products Technology Corporation; ACQCO, LLC; Green Box NA, LLC; Green Box International, LLC; PC Fibre Technology, LLC; Oconto Falls Tissue Incorporated; Custom Paper Products Incorporated; Waste Liquid Recovery Technology, LLC; Waste Poly Recovery Technology, LLC; PCPC, LLC; Waste Fiber Recovery Technology, LLC; Waste Tire Recovery Technology, LLC; Waste Material Recovery Technology, LLC; Nature's Choice Tissue, LLC; Green Box International II, LLC; KYHK, LLC; Recovering Aqua Resources; RAR Technology, LLC; Military Waste Recovery Technology, LLC; Waste Fiber Technology, LLC; ST Holdings, LLC; Stonehill Converting, LLC; Custom Forest Products Incorporated; CHAT, LLC; Boldt/Spirit Incorporated; and are described as follows:

A commercial facility located at 500 Fortune Avenue, City of De Pere, Brown County, Wisconsin. The building is concrete gray with a blue stripe running along the roof line.

There are now located and concealed therein certain things which are:

1. Computer storage devices, media, and the digital content to include, but not limited to, floppy disks, hard drives, DVD discs, CD-ROM discs, flash drives, or other magnetic, optical, or mechanical storage equipment that can be accessed by computer to store or retrieve data.
2. Computer software and application software installation and operation media.
3. Items and/or documents containing or displaying passwords, access codes, usernames or other identifiers necessary to examine or operate items, software, or information seized.
4. Any other digital, electronic, or wireless device which has the capability to store, send, or receive electronic data to include, but not limited to, ("smart") cellular telephones, tablet devices, portable media players.
5. Papers, including, but not limited to, spreadsheets, binders, accounting ledgers.
6. Microfiche files.
7. All business and financial records for organizations associated with Ronald Van Den Heuvel, from December 31, 2010, to present, to include, but not limited to, invoices, checks, money orders, negotiable instruments, cash, credit cards, debit cards, financial journals, contracts, account receivable journals, fixed asset journals with accumulated depreciation, intellectual property journals, e.g., patents, trade-secrets, licenses, royalties, etc., with accumulated amortization, including all third party valuations of all intellectual property with method(s) used, notes receivable journal, equity ledgers (Include all signed membership unit certificates, with names, number of membership units purchased, capital contributed and certificate number. Also, include all corresponding agreements with investors, Income Statements, Statement of Assets, Liabilities and Equity, Operating Agreements, list of investors to whom money is still owed, credit card statements, bank statements, investment statements, emails and any other correspondence or documents (whether digital or written) related to business and financials of organizations associated with Ronald Van Den Heuvel.
8. All tax returns.
9. All Schedule K-1s.
10. Items that would tend to show dominion and control of the property searched, to include, but not limited to, utility bills, telephone bills, correspondence, rental agreements and other identification documents.

which things were used in the commission of, or may constitute evidence of the crime of **Theft** committed in violation of Section **943.20(1)(d)** of the Wisconsin Statutes and **Securities Fraud** under **Chapter 551** Wisconsin Statutes, the facts tending to establish the grounds for issuing a search warrant are information given under oath by Sergeant Mary Schartner.

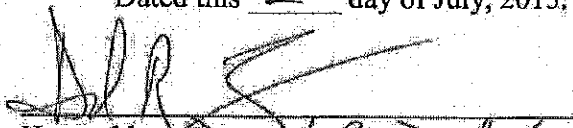
WHEREFORE, the said Sergeant Mary Schartner, a law enforcement officer, prays that a search warrant be issued to search said property, and if found, to seize the same and take the property into custody according to law and/or to take photographs of said property along with identifying numbers.

WHEREFORE, said law enforcement officer, Sergeant Mary Schartner, prays that a search warrant be issued to search said premises for said property and its contents.

NOW, THEREFORE, in the name of the State of Wisconsin, you, Sergeant Mary Schartner, and any necessary assisting law enforcement personnel, are commanded forthwith to search the said premises for the property aforesaid, and if the same or any portion thereof are found, you are commanded to seize them and hold them secure in your custody or the custody of the Sheriff.

FURTHERMORE, Sergeant Mary Schartner further reports that she is aware that information contained in and on computer-related components is static and not likely to be lost or destroyed. She further reports that the forensic examination of the aforementioned items referenced above will take a significant amount of time. Accordingly, she prays for extension of the warrant return times otherwise specified under WI Stats. 968.17 be permitted.


Dated this 2 day of July, 2015,


Honorable Daniel R. Zuchow
Circuit Court Judge, Branch 7
Brown County, Wisconsin

Honorable _____
Court Commissioner
Brown County, Wisconsin

ENDORSEMENT OF LAW ENFORCEMENT OFFICER

Received by Sergeant Mary Schartner on this 2nd day of July, 2015, at 10:07am.


Law Enforcement Officer # 177

STATE OF WISCONSIN)

)

SEARCH WARRANT

COUNTY OF BROWN)

TO: Sergeant Mary Schartner, a law enforcement officer of the Brown County Sheriff's Office, who has this day complained to this court, under oath, that on this day, in Brown County, in and upon certain premises in the Village of Ashwaubenon, and in said County, which premises are occupied, rented, or owned by persons named and unnamed to include Ronald H. Van Den Heuvel, DOB [Redacted] 4, doing business as Green Box NA Green Bay, LLC; Green Box NA Detroit, LLC; RVDH Dvlpmnt; P.C.D.I. (Partners Concept Development Inc.); E.A.R.T.H. (Environmental Advanced Reclamation Technology HQ, LLC); Green Box NA, Green Box NA Wisconsin Op, LLC; Patriot Tissue, LLC; Patriot Services, Inc.; Tissue Depot; Tissue Technology, LLC; RVDH Development, LLC, Green Box Michigan, LLC; Green Box NA Georgia, LLC; Green Box NA Seattle, LLC; Green Box NA II, LLC; Green Box NA Utah, LLC; R&K Development, Inc.; RVDH, Inc.; Tissue Products Technology Corporation; ACQCO, LLC; Green Box NA, LLC; Green Box International, LLC; PC Fibre Technology, LLC; Oconto Falls Tissue Incorporated; Custom Paper Products Incorporated; Waste Liquid Recovery Technology, LLC; Waste Poly Recovery Technology, LLC; PCPC, LLC; Waste Fiber Recovery Technology, LLC; Waste Tire Recovery Technology, LLC; Waste Material Recovery Technology, LLC; Nature's Choice Tissue, LLC; Green Box International II, LLC; KYHK, LLC; Recovering Aqua Resources; RAR Technology, LLC; Military Waste Recovery Technology, LLC; Waste Fiber Technology, LLC; ST Holdings, LLC; Stonehill Converting, LLC; Custom Forest Products Incorporated; CHAT, LLC; Boldt/Spirit Incorporated; and are described as follows:

A multi-unit warehouse located at 821 Parkview Drive, Village of Ashwaubenon, Brown County, Wisconsin, with a small white and green sign with Green Box, on the chain link fence at the street entrance.

Also included are any vehicles on or adjacent to the premises, which are owned or operated by persons, located at the business at the time of the warrant's execution, including, but not limited

to:

2010 Cadillac Escalade, black in color, with WI license plate 727VKL
2013 Cadillac Escalade, white in color, with WI license plate 729VKL

There are now located and concealed therein certain things which are:

1. Computer storage devices, media, and the digital content to include, but not limited to, floppy disks, hard drives, DVD discs, CD-ROM discs, flash drives, or other magnetic, optical, or mechanical storage equipment that can be accessed by computer to store or retrieve data.
2. Computer software and application software installation and operation media.
3. Items and/or documents containing or displaying passwords, access codes, usernames or other identifiers necessary to examine or operate items, software, or information seized.
4. Any other digital, electronic, or wireless device which has the capability to store, send, or receive electronic data to include, but not limited to, ("smart") cellular telephones, tablet devices, portable media players.
5. Papers, including, but not limited to, spreadsheets, binders, accounting ledgers.
6. Microfiche files.
7. All business and financial records for organizations associated with Ronald Van Den Heuvel, from December 31, 2010, to present, to include, but not limited to, invoices, checks, money orders, negotiable instruments, cash, credit cards, debit cards, financial journals, contracts, account receivable journals, fixed asset journals with accumulated depreciation, intellectual property journals, e.g., patents, trade-secrets, licenses, royalties, etc., with accumulated amortization, including all third party valuations of all intellectual property with method(s) used, notes receivable journal, equity ledgers (Include all signed membership unit certificates, with names, number of membership units purchased, capital contributed and certificate number. Also, include all corresponding agreements with investors, Income Statements, Statement of Assets, Liabilities and Equity, Operating Agreements, list of investors to whom money is still owed, credit card statements, bank statements, investment statements, emails and any other correspondence or documents (whether digital or written) related to business and financials of organizations associated with Ronald Van Den Heuvel.
8. All tax returns.
9. All Schedule K-1s.
10. Items that would tend to show dominion and control of the property searched, to include, but not limited to, utility bills, telephone bills, correspondence, rental agreements and other identification documents.

which things were used in the commission of, or may constitute evidence of the crime of **Theft** committed in violation of Section **943.20(1)(d)** of the Wisconsin Statutes and **Securities Fraud** under **Chapter 551** Wisconsin Statutes, the facts tending to establish the grounds for issuing a search warrant are information given under oath by Sergeant Mary Schartner.


WHEREFORE, the said Sergeant Mary Schartner, a law enforcement officer, prays that a search warrant be issued to search said property, and if found, to seize the same and take the property into custody according to law and/or to take photographs of said property along with identifying numbers.

WHEREFORE, said law enforcement officer, Sergeant Mary Schartner, prays that a search warrant be issued to search said premises for said property and its contents.

NOW, THEREFORE, in the name of the State of Wisconsin, you, Sergeant Mary Schartner, and any necessary assisting law enforcement personnel, are commanded forthwith to search the said premises for the property aforesaid, and if the same or any portion thereof are found, you are commanded to seize them and hold them secure in your custody or the custody of the Sheriff.

FURTHERMORE, Sergeant Mary Schartner further reports that she is aware that information contained in and on computer-related components is static and not likely to be lost or destroyed. She further reports that the forensic examination of the aforementioned items referenced above will take a significant amount of time. Accordingly, she prays for extension of the warrant return times otherwise specified under WI Stats. 968.17 be permitted.

Dated this 2 day of July, 2015.

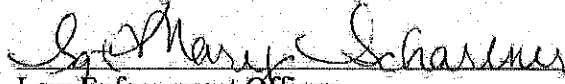


Honorable Donald A. Embert
Circuit Court Judge, Branch 2
Brown County, Wisconsin

Honorable _____
Court Commissioner
Brown County, Wisconsin

ENDORSEMENT OF LAW ENFORCEMENT OFFICER

Received by Sergeant Mary Schartner on this 2nd day of July, 2015, at 10:07 a.m.



Law Enforcement Officer

STATE OF WISCONSIN)

) SS AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

COUNTY OF BROWN)

Sergeant Mary Schartner, a law enforcement officer of the Brown County Sheriff's Office, has this day complained to this court, under oath, that on this day, in Brown County, in and upon certain premises in in the City of De Pere and in said County, which premises are occupied, rented, or owned by persons named and unnamed to include Ronald H. Van Den Heuvel, DOB [Redacted] 4, doing business as Green Box NA Green Bay, LLC; Green Box NA Detroit, LLC; RVDH Dvlpmnt; P.C.D.I. (Partners Concept Development Inc.); E.A.R.T.H. (Environmental Advanced Reclamation Technology HQ, LLC); Green Box NA, Green Box NA Wisconsin Op, LLC; Patriot Tissue, LLC; Patriot Services, Inc.; Tissue Depot; Tissue Technology, LLC; RVDH Development, LLC, Green Box Michigan, LLC; Green Box NA Georgia, LLC; Green Box NA Seattle, LLC; Green Box NA II, LLC; Green Box NA Utah, LLC; R&K Development, Inc.; RVDH, Inc.; Tissue Products Technology Corporation; ACQCO, LLC; Green Box NA, LLC; Green Box International, LLC; PC Fibre Technology, LLC; Oconto Falls Tissue Incorporated; Custom Paper Products Incorporated; Waste Liquid Recovery Technology, LLC; Waste Poly Recovery Technology, LLC; PCPC, LLC; Waste Fiber Recovery Technology, LLC; Waste Tire Recovery Technology, LLC; Waste Material Recovery Technology, LLC; Nature's Choice Tissue, LLC; Green Box International II, LLC; KYHK, LLC; Recovering Aqua Resources; RAR Technology, LLC; Military Waste Recovery Technology, LLC; Waste Fiber Technology, LLC; ST Holdings, LLC; Stonehill Converting, LLC; Custom Forest Products Incorporated; CHAT, LLC; Boldt/Spirit Incorporated; and are described as follows:

A brown brick building with a brown asphalt-shingled roof situated in the southeast corner of a complex of buildings located at 2077 Lawrence Drive, City of De Pere, Brown County, Wisconsin, with the main entrance facing west toward Lawrence Drive—more specifically, Suite A, which is located in the northernmost part of the building.

EXHIBIT II

Also included are any vehicles on or adjacent to the premises, which are owned or operated by persons, located at the business at the time of the warrant's execution, including, but not limited to:

2010 Cadillac Escalade, black in color, with WI license plate 727VKL
2013 Cadillac Escalade, white in color, with WI license plate 729VKL

There are now located and concealed therein certain things which are:

1. Computer storage devices, media, and the digital content to include, but not limited to, floppy disks, hard drives, DVD discs, CD-ROM discs, flash drives, or other magnetic, optical, or mechanical storage equipment that can be accessed by computer to store or retrieve data.
2. Computer software and application software installation and operation media.
3. Items and/or documents containing or displaying passwords, access codes, usernames or other identifiers necessary to examine or operate items, software, or information seized.
4. Any other digital, electronic, or wireless device which has the capability to store, send, or receive electronic data to include, but not limited to, ("smart") cellular telephones, tablet devices, portable media players.
5. Papers, including, but not limited to, spreadsheets, binders, accounting ledgers.
6. Microfiche files.
7. All business and financial records for organizations associated with Ronald Van Den Heuvel, from December 31, 2010, to present, to include, but not limited to, invoices, checks, money orders, negotiable instruments, cash, credit cards, debit cards, financial journals, contracts, account receivable journals, fixed asset journals with accumulated depreciation, intellectual property journals, e.g., patents, trade-secrets, licenses, royalties, etc., with accumulated amortization, including all third party valuations of all intellectual property with method(s) used, notes receivable journal, equity ledgers (Include all signed membership unit certificates, with names, number of membership units purchased, capital contributed and certificate number. Also, include all corresponding agreements with investors, Income Statements, Statement of Assets, Liabilities and Equity, Operating Agreements, list of investors to whom money is still owed, credit card statements, bank statements, investment statements, emails and any other correspondence or documents (whether digital or written) related to business and financials of organizations associated with Ronald Van Den Heuvel.
8. All tax returns.
9. All Schedule K-1s.
10. Items that would tend to show dominion and control of the property searched, to include, but not limited to, utility bills, telephone bills, correspondence, rental agreements and other identification documents.

which things were used in the commission of, or may constitute evidence of the crime of **Theft**

committed in violation of Section 943.20(1)(d) of the Wisconsin Statutes and Securities Fraud under Chapter 551 of the Wisconsin Statutes.

The facts tending to establish the grounds for issuing search warrant are as follows:

1. Sergeant Mary Schartner, being first duly sworn, on oath, deposes and says, that affiant relies for the issuance of this search warrant upon information and belief, based upon:
2. Your affiant is a Deputy with the Brown County Sheriff's Office assigned to the Brown County Sheriff's Office Investigative Division, and is duly authorized to make this affidavit. Your affiant is a 23-year veteran of the Brown County Sheriff's Office. Your affiant was assigned to the Brown County Sheriff's Office Patrol Division as a Patrol Deputy from May 1992 to August of 1995. Your affiant was then assigned to the Brown County DARE program from August 1995 to June 2001. Your affiant was assigned to the Brown County Jail as Sergeant Watch Commander from June 2001 to April 2003. Your affiant has been assigned to the Brown County Sheriff's Office Investigative Division as an Investigative Sergeant since April 2003. During your affiant's tenure with the Brown County Sheriff's Office Investigative Division, your affiant has been assigned to a position of a Juvenile Investigator as well as general investigative duties.
3. Your affiant's duties include generating incident reports based on victim's complaints and follow-through investigation of such reports of criminal activity and wrongdoing.
4. Your affiant was assigned to investigate the potential fraudulent activities of Ronald H. Van Den Heuvel, DOB [Redacted]-54, doing business as Green Box NA Green Bay, LLC, at 2077 Lawrence Drive, Suites A and B, based on the initial complaint made by Dr. Marco Araujo, a citizen witness, who operates a medical practice located in Bellevue, Brown County, WI. Araujo provided a series of written statements in

which he indicated that he was defrauded by Ronald H. Van Den Heuvel, when Van Den Heuvel made a series of knowingly false representations to Araujo with the purpose of inducing Araujo to make a \$600,000 investment in one of Van Den Heuvel's business entities, Green Bay NA Green Bay, LLC.

5. As part of the follow up investigation into Araujo's complaint, your affiant reviewed numerous documents provided by Araujo, which constituted discovery obtained as part of a civil lawsuit Araujo filed against Van Den Heuvel and Green Box NA Green Bay, LLC in Brown County case 13CV463. Those documents detailed Van Den Heuvel's fraudulent statements to Araujo, outlined Araujo's investment of \$600,000 in Green Box NA Green Bay, LLC, and further demonstrated that Van Den Heuvel converted the majority of Araujo's investment for Van Den Heuvel's own personal debts and expenses.
6. In furtherance of the investigation, your affiant reviewed the Wisconsin Circuit Court website (CCAP) as well as records from TLO.com, a law enforcement database, and learned that Ronald H. Van Den Heuvel is associated with numerous business entities as an owner, manager, shareholder, registered agent or member. Those business entities include, but are not limited to the following: Green Box NA Green Bay, LLC; Green Box NA Detroit, LLC; RVDH Dvlpmnt; P.C.D.I. (Partners Concept Development Inc.); E.A.R.T.H. (Environmental Advanced Reclamation Technology HQ, LLC); Green Box NA, Green Box NA Wisconsin Op, LLC; Patriot Tissue, LLC; Patriot Services, Inc.; Tissue Depot; Tissue Technology, LLC; RVDH Development, LLC, Green Box Michigan, LLC; Green Box NA Georgia, LLC; Green Box NA Seattle, LLC; Green Box NA II, LLC; Green Box NA Utah, LLC; R&K Development, Inc.; RVDH, Inc.; Tissue Products Technology Corporation; ACQCO, LLC; Green Box NA, LLC; Green Box International, LLC; PC Fibre Technology, LLC; Oconto Falls Tissue Incorporated; Custom Paper Products Incorporated; Waste Liquid Recovery Technology, LLC; Waste Poly Recovery Technology, LLC; PCPC, LLC; Waste Fiber Recovery Technology, LLC; Waste Tire Recovery Technology, LLC; Waste Material Recovery Technology, LLC; Nature's Choice Tissue, LLC; Green Box International II, LLC; KYHK, LLC; Recovering Aqua Resources; RAR Technology, LLC; Military Waste Recovery

Technology, LLC; Waste Fiber Technology, LLC; ST Holdings, LLC; Stonehill Converting, LLC; Custom Forest Products Incorporated; CHAT, LLC; Boldt/Spirit Incorporated;

7. As part of the follow up investigation into Araujo's initial complaint, your affiant became aware that several other individuals and business entities may have also been victims of fraudulent representations made by Ronald H. Van Den Heuvel as part of a plan to solicit investment into Green Box NA Green Bay, LLC and other related entities. Your affiant became aware, through the review of CCAP and documents provided by Araujo's attorneys, that many other entities had complained about Van Den Heuvel and Green Box NA Green Bay, LLC's potentially fraudulent activities and that those allegations were set forth as part of another civil lawsuit, Brown County case 15CV474.
8. Through documents and information provided by Araujo and his attorneys, your affiant became aware that the Wisconsin Economic Development Corporation (WEDC), a public/private entity operated in part by the State of Wisconsin, was a potential victim of fraudulent representation made by Van Den Heuvel in order to obtain a loan from the WEDC for approximately \$1.3 Million. Your affiant made a request for records from the WEDC and obtained all of WEDC's documentation of the loan made to Van Den Heuvel and Green Box NA Green Bay, LLC.
9. Your affiant is aware, through documents provided by Wisconsin Economic Development Corporation and record and documents contained on a thumb drive provided by Guy LoCascio, a former contract accountant for Green Box NA Green Bay, LLC and Van Den Heuvel, that Ronald H. Van Den Heuvel, DOB [Redacted] 54, doing business as Green Box NA Green Bay, LLC, with its primary offices located at 2077 Lawrence Drive, Suites A and B, made representations to Wisconsin Economic Development Corporation (WEDC) in order to receive funds from them, and once funds were received, Ronald H. Van Den Heuvel paid personal debts with the money.
10. Through your affiant's investigation thus far, it has been found that Ronald H. Van Den Heuvel, doing business as Green Box NA Green Bay, LLC, did supply

fraudulent information in his application for funding from WEDC, based on your affiant's review of the file provided by WEDC which contained documents and statements, the document provided by Araujo's attorneys from Brown County cases 13CV463 and 15CV474 and documents contained on the thumb drive provided by Guy LoCascio.

- a. WEDC perfected a security interest in all of Green Box NA Green Bay, LLC's personal property as of October 17, 2011. Section 5(a) of WEDC security agreement with Green Box NA Green Bay, LLC, shows that Green Box NA Green Bay, LLC, was to keep the collateral free from all liens, encumbrances, and security agreements other than that entered into with WEDC. Ronald H. Van Den Heuvel, doing business as Green Box NA Green Bay, LLC, pledged and re-pledged WEDC's collateral to other creditors multiple times over, according to WEDC documents and statements and the thumb drive from Guy LoCascio.
- b. Accounting records provided by LoCascio demonstrated that Green Box NA Green Bay, LLC received approximately \$1.3 Million from the WEDC loan on October 21, 2011 and within days a substantial portion of the loan proceeds were transferred to bank accounts for other business entities and converted the funds for his personal use and paid both personal debts and debts owned by business entities in which Van Den Heuvel had an interest, but which were unrelated to the business activities of Green Box NA Green Bay, LLC.
- c. WEDC agreed to release its lien on a portion of the Green Box NA Green Bay property when Utica Leaseco, LLC, purchased Stonehill Converting and Straubel Paper, thereby leasing the property to Green Box NA Green Bay. Utica filed a UCC lien on or about September 5, 2013, but the partial release was not secured for partial release until October 7, 2013, according to documents and statements provided by WEDC.
- d. Three months later, Ronald H. Van Den Heuvel, doing business as Green Box NA Green Bay, LLC, granted a security interest on the much of the same *leased* property to Maple Bridge Funding which is insured by Ability Insurance Company, including, but not limited to, Hobema, rewinders, Sintesi, Ocean, and

two Bretting machines, based on documents and statements from WEDC.

e. On or about June 30, 2014, Ronald H. Van Den Heuvel, doing business as Green Box NA Green Bay, LLC, and E.A.R.T.H. granted a security interest in two Brettings machines manufactured in 1999 and 2001, respectively. The identical machines were pledged as collateral to Manchester Mortgage on May 14, 2015, with Ronald H. Van Den Heuvel listed as owner based on documents and statements from WEDC.

11. Your affiant found that Ronald H. Van Den Heuvel, doing business as Green Box NA Green Bay, LLC, failed to provide documentation, as promised, to WEDC, which would constitute proof of the required capital contributions of \$629,000 from a related entity, E.A.R.T.H. (Environmental Advanced Reclamation Technology Headquarters, LLC), and \$5,500,000 from VHC, Inc., and made material misrepresentations to WEDC about actually receiving the money as backing, despite the fact that money was never received. In addition, Ronald H. Van Den Heuvel never listed VHC, Inc., which is comprised primarily of Van Den Heuvel family members, as having any ownership in Green Box NA Green Bay, LLC, despite the fact that Van Den Heuvel represented to WEDC that VHC, Inc., contributed \$5,500,000 of operating capital.

12. Through your affiant's investigation, based on Marco Araujo's statements and documents as part of Brown County cases 13CV463 and 15CV474 civil case, it has been found that Ronald H. Van Den Heuvel, doing business as Green Box NA Green Bay, LLC, made material misrepresentations in the course of soliciting and receiving a Green Box NA Green Bay, LLC, equity investment from Dr. Marco Araujo.

a. Ronald H. Van Den Heuvel granted Dr. Araujo a security interest in a Mayfran Conveyor and Eriez suspended magnet on or about April 22, 2011, but then granted Clifton Equities a security interest in the same property on or about June 18, 2014. On June 18, 2014, Ronald H. Van Den Heuvel obtained more funding from Clifton Equities for the purchase of Kool Manufacturing

equipment. Less than three months later, the same Kool Manufacturing equipment was pledged to Crossgate. Crossgate filed a UCC statement which shows E.A.R.T.H. as the owner or co-owner of the Kool Manufacturing equipment.

- b. Your affiant is aware that Ronald H. Van Den Heuvel, doing business as Green Box NA Green Bay, LLC, received a \$600,000 Green Box NA Green Bay equity investment from Dr. Marco Araujo on or about April 5, 2011, and within days, Ronald H. Van Den Heuvel used the investment money to pay personal debts. Dr. Araujo received 600,000 membership units in exchange for his \$600,000 equity investment.
- c. Your affiant found that Ronald H. Van Den Heuvel represented to Dr. Marco Araujo that Araujo would be given a mortgage on the Perini Building, located at 3060 S. Ridge Road, Village of Ashwaubenon, Brown County, Wisconsin, which would, in part, be purchased with Araujo's investment of \$600,000. You affiant is aware that the Perini Building was never for sale but was used as a prop to induce Araujo into investing. Araujo stated that Ronald H. Van Den Heuvel, along with his wife, Kelly Lea Yessman Van Den Heuvel, brought Araujo to the Perini Building at 3060 S. Ridge Road. They showed Araujo office space in the second floor of the building where the Van Den Heuvels said conferences would be held and a white board would be utilized. Photographs of the Perini Building are prominently shown in promotional documents for Green Box.
- d. According to the statement of Araujo and promotion materials generated by Green Box NA Green Bay, LLC, your affiant has found that Ronald H. Van Den Heuvel presented Green Box NA Green Bay, LLC, as a functioning business which produced a product when, in fact, Green Box NA Green Bay, LLC, was not producing anything prior to Araujo's investment and in fact, according to the DFI website, Green Box NA Green Bay, LLC had been formed on March 26, 2011, just days before Araujo invested on April 5, 2011.

e. Your affiant has found that Ronald H. Van Den Heuvel received Araujo's wired money transfer into the account of Green Box Detroit LLC on April 5, 2011, based on a wire receipt provided by Marco Araujo. Van Den Heuvel then transferred the \$600,000 to his own RVDH Development account and proceeded to make payments for his own personal use; i.e., to Ronald H. Van Den Heuvel's ex-wife in the amount of \$57,777.43 and \$19,184.00 toward a Green Bay Packers Stadium box. Other examples of Ronald H. Van Den Heuvel's personal expenditures using Dr. Marco Araujo's \$600,000 investment are: \$3,900 to pay Ronald H. Van Den Heuvel's American Express credit card bill; \$2879.85 for payment on Ronald H. Van Den Heuvel's ex-wife's house in Savannah, Georgia; \$6409.50 on Ronald H. Van Den Heuvel's house in a gated community in Florida; \$75,000 listed as expenses and loan payment, to name a few. Ronald H. Van Den Heuvel himself provided an itemized list of information about where the \$600,000 was spent. The document was used in the civil suit Araujo brought against Ronald H. Van Den Heuvel.

13. Your affiant met with a citizen witness, Daniel H. Thames, DOB (Redacted) 1979, who provided information and a written statement. Your affiant learned from Daniel H. Thames that through the course of his employment with Green Box NA Green Bay, LLC, he performed various office and accounting tasks. Through his employment at Green Box, Thames observed that Ronald H. Van Den Heuvel would take investors' money and use the money to pay personal bills. Thames said Ronald H. Van Den Heuvel instructed Thames to list certain expenditures in such a way as to mask the true use of various payments. Thames witnessed Ronald H. Van Den Heuvel receive foreign investor money through a federal EB-5 program. The invested money would be deposited into an account for a related entity, Green Box NA Detroit, LLC.
14. According to information from Thames and other witnesses, similar to Green Box NA Green Bay, LLC, Green Box NA Detroit, LLC is represented as an operating

entity, but in fact, it does not have any existing production or even any actual physical location in or around Detroit. Thames is aware of the nature of representations being made by Ronald Van Den Heuvel to his investors, and specifically is aware that Van Den Heuvel represents that the Green Box facilities are operational, when in fact, there is no operating Green Box facility, nor does the technology behind Green Box's purported business model function as represented by Van Den Heuvel.

15. Thames indicated that once money was deposited into the Green Box NA Detroit account, Van Den Heuvel would order the subsequent disbursement of the foreign investor money into Van Den Heuvel's personal account from which Van Den Heuvel paid for his ex-wife's house in Savannah, Georgia. Thames said Ronald H. Van Den Heuvel used foreign investor money to pay for a Green Bay Packers Stadium box. Thames said Ronald H. Van Den Heuvel would get behind in his alimony payments to his ex-wife. He is ordered to pay \$2000.00 per week. When threatened with court action, Ronald H. Van Den Heuvel would use EB-5 money to get current with the alimony payments. Thames said he was instructed by Ronald H. Van Den Heuvel to e-mail the lady at the bank, instructing her to transfer funds from the account where the investors' money had been deposited to accounts other than that of the investors' intended entity. Thames said Ronald H. Van Den Heuvel would use EB-5 money to pay for insurance for his current wife and children. Thames told me that Ronald H. Van Den Heuvel would write checks out from the business account of Green Box in an employee's name and ask that employee to go to the bank, cash the check, and bring the cash back to Van Den Heuvel. Ronald H. Van Den Heuvel would use the cash for personal purchases and, for example, a trip to Las Vegas.
16. Thames has witnessed Ronald H. Van Den Heuvel give tours to potential investors, and Van Den Heuvel would make statements which are false, including stating the Green Box process is a fully functional process with fully functioning facilities across the USA, when there are none.
17. Thames has witnessed Ronald H. Van Den Heuvel write checks to pay bills when he knows there are insufficient funds, knowing that by writing the check, it will give

Van Den Heuvel time to avoid payment. Thames related that Ronald H. Van Den Heuvel once sent an insufficient funds check for \$125,000 to the IRS. Thames said he has seen spreadsheets of itemized lists, compiled by Human Resources Manager Phil Reinhart, of Ronald H. Van Den Heuvel's personal expenditures.

18. Thames said prior to October 2014, membership units in Green Box had no specific value.
19. Thames stated he saw a year-end financial statement which showed that Ronald H. Van Den Heuvel owes VHC, Inc., and other Van Den Heuvel family-owned businesses approximately \$115,000,000. Thames identified people and businesses listed on the document Ronald H. Van Den Heuvel presented in civil courts showing how Marco Araujo's investment of \$600,000 was spent. Of the \$600,000, at least \$280,000 was used for Ronald H. Van Den Heuvel's personal expenditures. Thames has seen tangible evidence of the aforementioned information on the shared drive of the office computer at 2077 Lawrence Drive, Suites A and B, City of De Pere, Brown County, Wisconsin.
20. On April 27, 2015, your affiant conducted an interview Guy J. LoCascio, DOB Red Redacted 1952, who provided a verbal and written statement and also provided financial documents in an electronic format. Guy J. LoCascio is a certified public accountant who did accounting work for Ronald H. Van Den Heuvel and his Green Box NA Green Bay, LLC. LoCascio indicated that while attempting to sort out Van Den Heuvel's financial accounts, he noted that Van Den Heuvel had not filed federal or state tax returns and large amounts of cash could not be accounted for. LoCascio informed Ronald H. Van Den Heuvel if an accounting could not be made, Van Den Heuvel would have to pay the company back as if the cash had been a loan.
21. LoCascio stated Ronald H. Van Den Heuvel had many companies for which he was listed as agent, president, principal, or chairman. Ronald H. Van Den Heuvel would take money for his personal use from all of his companies.
22. While on site at the Green Box NA Green Bay offices located at 2077 Lawrence Drive Suites A and B, LoCascio saw that office employees would be forced to enter whatever Ronald H. Van Den Heuvel told them to enter into the computer for

accounting purposes. LoCascio's information about employees being ordered to falsify financial transaction information was later confirmed by another Green Box NA Green Bay employee, Tami Phillips, who also indicated in her written statement that she was told to make false entries and with each false entry she made, she would indicate "per Ron" in an attempt to avoid culpability.

23. LoCascio said he knew that Ronald H. Van Den Heuvel's company, Green Box NA Green Bay, LLC, received over \$1,000,000 from the State of Wisconsin (Wisconsin Economic Development Corporation). Ronald H. Van Den Heuvel was compelled, as part of the fund's disbursement process, to supply a reckoning of how the funds were spent. The document required a CPA's signature. Neither LoCascio, nor CPA Steven Huntington, had signed the document submitted to WEDC. LoCascio stated Phil Reinhart asked LoCascio to sign a prepared financial statement, but LoCascio refused because he was concerned about the veracity of the statement. LoCascio stated much of the bookkeeping for some of the many companies under Ronald H. Van Den Heuvel's name was in the form of a checkbook register only, rather than accepted accounting principles.
24. LoCascio said Ronald H. Van Den Heuvel would frequently move money and assets, such as machinery, without corresponding documentation.
25. As part of his work as a subcontractor through LoCascio & Company, LoCascio held a partial thumb drive backup of computer-filed financial records. This is common practice in LoCascio's role as CPA. LoCascio volunteered to share the contents of his thumb drive with your affiant. Your affiant obtained a search warrant to view the contents of the thumb drive. The search showed:
 - a. Items gleaned from the search of LoCascio's thumb drive include: Information about inflated valuation of patent and intellectual property that Ronald H. Van Den Heuvel claimed to possess. The values were not documented using generally accepted accounting practices. On the thumb drive, there was evidence of money being transferred between accounts of several businesses to cover shortfalls. The specific accounts from which money was transferred will be determined through this search warrant. A chart of banks and the last 4 digits of account numbers were located and can help to verify full account numbers, if

located during the search. The documents contained on LoCascio's thumb drive also confirm his statements relative to Van Den Heuvel's frequent transfer of assets between businesses and the conversion of investment dollars and loan proceeds into personal use.

26. Your affiant met with and interviewed Steven H. Huntington on April 23, 2015. Huntington is a CPA and was formerly employed by Green Box NA Green Bay, LLC. Per documents and statement provided by Steven Huntington, on January 1, 2013, Huntington, signed a contract with Ronald H. Van Den Heuvel and Green Box to be the CFO of Green Box and have control of all the money. Huntington did work for which he should have been paid \$11,000 but was paid only \$5000. Huntington was promised stock options and a bonus if he remained at Green Box, which never materialized. Huntington provided substantive information about his activities and Green Box as follows:
 - a. Huntington had worked on production predictions and grant applications. In the course of researching the numbers, Huntington found an investor by the name of Ken Dardis who had invested \$500,000 in Green Box. Huntington found that Ronald H. Van Den Heuvel had used \$200,600 of that money for personal expenditures, including dental work for his wife, Green Bay Packers tickets, and Van Den Heuvel's ex-wife's car payment, among other things.
 - b. Huntington located another investment of \$100,000 from a family estate firm called Dodi Management, LLC. Out of the \$100,000 investment, Ronald H. Van Den Heuvel used \$73,547.34 for personal expenses, including \$2594.35 for Van Den Heuvel's personal insurance, \$4000 for Van Den Heuvel's Bank of America credit card, \$45,000 transferred to RVDH, Van Den Heuvel's personal account, and \$153.65 to Kelly Van Den Heuvel's dentist, Lincoln Dental, for example.
 - c. Huntington was aware of the \$600,000 investment from Dr. Araujo, and was aware that Ronald H. Van Den Heuvel spent \$373,515.60 of that investment on personal expenses. Those expenses are mentioned in paragraph 7.
 - d. Huntington said Ronald H. Van Den Heuvel presented financial information in a civil suit that did not match the QuickBooks accounting data base of Green Box.

- e. Huntington stated Ronald H. Van Den Heuvel would list assets as belonging to one company and would list the same asset as belonging to a different company the next day. Huntington said the transfer of assets was not recorded anywhere.
 - f. Huntington, doing work as a CPA for Green Box, did not assist Ronald H. Van Den Heuvel in putting together UCC filings.
 - g. Both Huntington and LoCascio stated that Ronald H. Van Den Heuvel transferred the titles of two company vehicles, 2010 Cadillac Escalade, black in color, with WI license plate 727VKL and 2013 Cadillac Escalade, white in color, with WI license plate 729VKL which were registered under E.A.R.T.H., to his son-in-law, Patrick Hoffman. Van Den Heuvel did this because he was unable to obtain financing from any local bank. Van Den Heuvel instructed Hoffman to use two Cadillac Escalades, which were now registered to Hoffman, as collateral. Both Huntington and LoCascio stated they warned Van Den Heuvel about transferring both vehicles to Hoffman, as then Hoffman would have to show the acquisition of the vehicles as taxable income. Hoffman was shown as the registered owner of the two Cadillac Escalades for one year before the vehicles were registered again by E.A.R.T.H. The two Escalades are still used as company vehicles, and your affiant has seen Ronald H. Van Den Heuvel getting out of the black Escalade at 2077 Lawrence Drive, City of De Pere, Brown County, Wisconsin.
 - h. Both Huntington and LoCascio stated Ronald H. Van Den Heuvel never took a salary from Green Box because his wages would have been garnished by the IRS and other creditors.
 - i. Huntington heard Ronald H. Van Den Heuvel claim to potential investors that Van Den Heuvel had tax returns when Huntington knew Van Den Heuvel had not filed income taxes in years and he owed back taxes for employee withholding.
27. On June 24, 2015, your affiant conducted an interview of Tami Phillips, DOB [Redacted] [Redacted] 1972, who provided information verbally, and in the form of a statement. In that statement Phillips indicated that she began working for Ronald H. Van Den Heuvel, at E.A.R.T.H. and Green Box, in December 2010. Phillips left for a time but returned in April 2012 and worked in the Green Box offices at 2077 Lawrence

Drive, Suites A and B. While working as an accountant for Green Box, Phillips was instructed by Ronald H. Van Den Heuvel to document financial entries on a balance sheet with numbers Van Den Heuvel quoted to her. Phillips said she knew the numbers were not real because there was no actual business or product being produced by Green Box or E.A.R.T.H. at any time.

- a. Phillips gave information that she is presently working at a Patriot Tissue which is located, 2107 American Boulevard, De Pere, Wisconsin. Patriot Tissue is also an entity owned and operated by Ron Van Den Heuvel. Per Phillips information, Patriot Tissue were paid by Green Box NA Green Bay, LLC, and employees would occasionally move back and forth between various entities owned by Van Den Heuvel, including between Green Box and Patriot Tissue. Phillips provided information that there are a number of documents related to the operation of Green Box NA Green Bay LLC located at the Patriot Tissue facility on American Boulevard.
- b. Phillips and Thames gave information that one of the sorting machines used in the Green Box demonstrations to defraud prospective investors is housed at 821 Parkview Drive, Village of Ashwaubenon, Brown County, Wisconsin. Green Box subleases the space at Warehouse Specialists from Little Rapids Corporation, Ron Thiry, owner.
- c. As part of his job duties with Green Box NA Green Bay, LLC, Thames actually participated in one of the demonstrations using the sorting equipment located at 821 Parkview Drive, which is the Warehouse Specialists facility. Thames was asked to utilize a spray on some solid waste set on the sorting machine. Thames indicated that the sorting equipment is not generally operating, that it does not work as Van Den Heuvel represents.
- d. It is an essential component of the investigation that the sorting machine located at 821 Parkview Drive is photographed and observed, together with the serial number, to confirm the actual ownership of the equipment and to confirm whether the piece of machinery can actually accomplish the operation that Van Den Heuvel represents.
- e. Phillips stated Patriot Tissue is the only company owned by Ronald H. Van Den

Heuvel that produces and sells a product which generates the only income to Green Box NA Green Bay, LLC.

28. In the spring of 2015, your affiant interviewed Martin Redecker, DOB [Redacted] 1963, who provided information, in the form of documents and a statement, indicating that he and his partner Chris Webb, DOB [Redacted] 1963, developed technology to convert waste plastic and turn it into resin-like crude oil, carbon (ash material) and syn-gas (a synthetic natural gas). Ronald H. Van Den Heuvel dealt with Redecker to start this process as part of the Green Box waste reclamation scheme. Ronald H. Van Den Heuvel agreed to purchase licenses to exclusively utilize the technology from RGEN Systems (Martin Redecker and Chris Webb's business). Machinery was moved to Green Bay after Ronald H. Van Den Heuvel made total payments of \$525,000. RGEN took that money and reinvested \$360,000 in the Green Box Company. Ronald H. Van Den Heuvel told Redecker the \$360,000 was going to be used for attorney's fees and for phase 1 and 2 requirements to close a loan from another source. The loan never went through and Ronald H. Van Den Heuvel did not reimburse RGEN Systems. The equipment had been stored at Brown County Waste Recycling at 2561 South Broadway, Village of Ashwaubenon, Brown County, Wisconsin. Ronald H. Van Den Heuvel failed to continue paying rent to Brown County, so Brown County set an auction for the machinery to recoup their money. Redecker heard of the auction and he paid \$15,000 to get his machinery back. The machinery was then removed from Brown County Waste and moved, by multiple semi loads, to the Eco Fibre facility, located at 500 Fortune Avenue, in the City of De Pere, Brown County, Wisconsin. Based on information from Redecker and other the machinery is still at located at that site. RGEN retained the technology rights along with the equipment. Ronald H. Van Den Heuvel circulated photos of the equipment and showed the photos to individual who could copy and fabricate the machinery, in violation of the technology agreement. Ronald H. Van Den Heuvel continued to tell investors he owned the technology in order to secure financing. In order to complete the investigation into fraudulent representations made by Van Den Heuvel, it is essential to observe and document the equipment located at 500 Fortune Avenue because Van Den Heuvel has made numerous false

representation about the ownership of that machinery in order to obtain investments and financing.

29. Your affiant learned, from promotional documents supplied by Marco Araujo, that Ronald H. Van Den Heuvel made claims that he holds seven (7) patents involved in the process of waste reclamation when, in fact, he holds none. The patent application for the reclamation technology and process relative to the Green Box operations, which was made August 16, 2012, is now labeled as abandoned. Ronald H. Van Den Heuvel still makes reference to the patents held by Green Box in his promotional documents distributed to potential investors, both domestic and foreign, but a search conducted by your affiant on the U.S. Patent and Trade Office reveals no patents held by Van Den Heuvel or Green Box for the type of activities allegedly conducted by the Green Box companies.
30. Your affiant believes the information provided by the WEDC because it is a Wisconsin state-funded agency, whose records are kept in the ordinary course of business.
31. Your affiant believes the information provided by Dr. Marco Araujo, DOB (Redacted) 1971, as he is a citizen witness and his statements are corroborated by other witnesses involved in this investigation.
32. Your affiant believes the information provided by Daniel H. Thames, DOB (Redacted) 1979, as he is a citizen witness providing information against his own penal interests and his statements are corroborated by other witnesses involved in this investigation.
33. Your affiant believes the information provided by Guy J. LoCascio, DOB (Redacted) 1952, as he is a citizen witness and the records he provided were retained by him as a normal course of his work as a certified public accountant working for Green Box NA Green Bay, LLC. He is providing information against his own penal interests.

34. Your affiant believes the information provided by Steven A. Huntington, DOB [Redacted] 1954, as he is a citizen witness who provided information against his own penal interests and his statements are corroborated by other witnesses involved in this investigation.
35. Your affiant believes the information provided by Martin A. Redecker, DOB [Redacted] 1963, as he is a citizen witness and his statements are corroborated by other witnesses involved in this investigation.
36. Your affiant believes the information provided by Tami L. Phillips, DOB [Redacted] 1972, as she is a citizen witness who provided information against her own penal interests and her statements are corroborated by other witnesses involved in this investigation.
37. Your affiant believes there are computers and their associated storage modalities, documents and machinery which will be located at the aforementioned addresses which will give evidence to support the charges of Theft and Securities Fraud.
38. Based upon your affiant's training and experience in financial crimes investigations, and based upon the knowledge derived from other experienced law enforcement officers with whom your affiant is associated, your affiant has learned the following traits and activities associated with financial crimes in the State of Wisconsin:
- a. Individuals engaged in illegal financial activities often place assets and associated information in names other than their own to avoid detection and forfeiture of those assets and detection of associated information by governmental agencies, and even though those assets and information are under different names the individuals continue to use these assets and associated information and exercise dominion and control over them.
 - b. Individuals engaged in illegal financial activities frequently keep records related to financial transactions in mediums that include, but not limited to, text messages, voicemail, email, customer lists, price lists, notes, financial journals, bank account books and papers, notes of money owed/received. These records

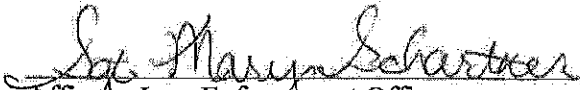
may exist in the form of actual documents or as data in computer or other electronic devices.

- c. Individuals engaged in illegal financial activities and their associates often possess and utilize electronic devices, such as computers, tablets, portable media players, and cellular phones. Such electronic devices often have electronic memory capabilities, and that such electronic memory often contains evidence of illegal financial activities. Such memory information also provides additional information to law enforcement concerning the extent of any illegal financial activities as well as identifying other individuals engaged in illegal financial activities with the individual possessing the electronic devices.
- d. Your affiant is aware that people in general receive correspondence at their residences as well as their business. Such correspondence usually includes, but is not limited to, utility bills, telephone bills, correspondence, rental agreements and other identification documents. Such items tend to reflect the identification of persons in control of and having dominion and control over the premises, and as such, the items found within the premises.
- e. Your affiant knows that a complete forensic examination of computers, computer mediums, and other electronic devices is a tedious and time consuming task that requires specialized equipment and expertise that can only be accurately provided by a qualified forensic analyst or forensic scientist in a computer forensics laboratory. Additionally, the time required to precisely examine the contents of a computer(s), computer medium, and other electronic/computerized device(s) would pose a significant and unjustified burden on law enforcement resources and would compromise the value of making law enforcement searches as brief and non-intrusive as possible. Your affiant is aware that the equipment necessary to conduct a complete forensic analysis of seized equipment is not easily transported, and therefore it is necessary for law enforcement to transport items for analysis to a forensic laboratory pending analysis. Your affiant knows through training and experience that forensics can be a technical, complicated and time-consuming process best done in a laboratory or controlled environment. For this reason, it is typically necessary for law enforcement to seize computers,


peripheral devices, and other related digital media and remove it from the search scene so that the search can be continued within the context of widely accepted computer forensic methodology.

39. Based on your affiant's search of TLO.com, a law enforcement information site, I learned that Ronald H. Van Den Heuvel's residence is located at 2303 Lost Dauphin Road, in the Town of Lawrence, Brown County, Wisconsin. Based on my training and experience, business records and information related to financial crimes are often located in the suspect's home residence.

Wherefore, the said Sergeant Mary Schartner, a law enforcement officer, prays that a search warrant be issued to search such premises for the said property, and if found, to seize the same and take the property into custody according to law. Your affiant further reports that she is aware that information contained in and on computer-related components is static and not likely to be lost or destroyed. Your affiant further reports that the forensic examination of the aforementioned items referenced above will take a significant amount of time. Accordingly, your affiant prays for extension of the warrant return times otherwise specified under Wisconsin Statute 968.17 be permitted.


Affiant - Law Enforcement Officer

Subscribed and sworn to before me
this 2nd day of July, 2015.


Honorable Donald A. Zard
Circuit Court Judge, Branch 2
Brown County, Wisconsin

Honorable _____
Court Commissioner
Brown County, Wisconsin

Brown County Sheriff's Office

Supplementary Report

Incident Report Number: 15-001896	Incident Location: 2077 Lawrence Dr;BCSO	Incident Date: 01/13/2015		
New Incident:	Original CFS Code - 1: 2399B	New CFS Code - 1:	New CFS Code - 2:	

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
15-001844	1 SEI		Data images of all computers in Patriot Tissue done by FBI agents Neil Lee, Matt Peterson, BCSO Analyst Bauer. Western Digital Hard Drive 2TB S/N:WCAY01683190 Western Digital Hard Drive 2TB S/N:WCAY01659501 Hitachi Ultrastar Hard Drive 1TB S/N:PAKKZEL	1.000 \$1.00 [Recovered]
	2 SEI		Data images of all computers in Patriot Tissue done by FBI agents Neil Lee, Matt Peterson, BCSO Analyst Bauer. Western Digital HD 2TB S/N:WCAY01707434 Western Digital HD 2TB S/N:WCAY00989705 Seagate HD 4000GB S/N:S300X3EP Seagate HD 3000GB S//N:Z1F11HWD	1.000 \$1.00 [Recovered]
15-002052	1 SEI	Dell	Dell Tower 40 GB desktop HDD MD140JB13884	1.000 \$1.00 [Recovered]
15-002054	1 SEI	Dell	Dell Tower with 6- Maxtor 146GB HDD, 2- Fujitsu 147 GB, and 1- Fujitsu 146GB SN/CN 0NJ8C8-37170-642-0216	1.000 \$1.00 [Recovered]
	2 SEI	HP	HP server with 3- HP Intent 72.8GB HDD M09RLX8929	1.000 \$1.00 [Recovered]

Reporting Officer(s): Schartner, Mary L.	Payroll Number: 177	Payroll Number:	Report Date: 07/01/2015
Reviewed by: Schartner, Mary L.	Payroll Number: 177	Copy To:	Page: 1 Of 5

EXHIBIT
III

Brown County Sheriff's Office

Continuation

Incident Report Number	Incident Location:	Incident Date:
15-001896	2077 Lawrence Dr;BCSO	01/13/2015
3 SEI		Avaya Tower with Seagate 350GB HDD 20303310008
		1.000 \$1.00 [Recovered]
4 SEI	Dell	Dell Tower Raid with 4- Dell 300GB HDD (small laptop size)
		1.000 \$1.00 [Recovered]
		LN-OMTX7T-71070-S14-001DA01
		[Recovered]
5 SEI	HP	HP Tower with Seagate 80GB HDD HP workstation x W4100
		1.000 \$1.00 [Recovered]
6 SEI	Seagate	Seagate 500GB HDD W3TCLHCB
		1.000 \$1.00 [Recovered]
7 SEI	Apple	Macbook Pro (pink cover) with Seagate 320GB laptop HDD
		1.000 \$1.00 [Recovered]
		A1278
		[Recovered]
8 SEI	Seagate	Seagate 750GB HDD 5QD441GM
		1.000 \$1.00 [Recovered]
9 SEI	Seagate	Seagate 750GB HDD desktop SQD44Yj8
		1.000 \$1.00 [Recovered]
10 SEI		Seagate 1TB HDD desktop 9VDEZJJY
		1.000 \$1.00 [Recovered]
11 SEI	Dell	Dell laptop with Seagate 500GB laptop HDD WS4J22
		1.000 \$1.00 [Recovered]
12 SEI	Dell	Dell laptop with Western Digital 160GB laptop HDD 6QLQ4G1
		1.000 \$1.00 [Recovered]
13 SEI	NSpire	NSpire laptop with Western Digital 80 GB laptop HDD
		1.000 \$1.00
Reporting Officer(s):	ID Number	ID Number
Schartner, Mary L.	177	
		Pages:
		2 Of 5

Brown County Sheriff's Office

Continuation

Incident Report Number 15-001896	Incident Location: 2077 Lawrence Dr;BCSO	Incident Date: 01/13/2015
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		CLS1-1S		[Recovered]
14	SEI	Apple	Apple Macbook Air CO2LG74WFSV7	1.000 \$1.00 [Recovered]
15	SEI		Dell laptop with Seagate 500GB laptop HDD 25D5732	1.000 \$1.00 [Recovered]
16	SEI	Asus	Asus laptop with HGST 1TB laptop HDD D8NOCVS35909354	1.000 \$1.00 [Recovered]
17	SEI	Seagate	Seagate 500GB HDD W3TCLHC2	1.000 \$1.00 [Recovered]
18	SEI	Seagate	External Drive Seagate 500GB HDD 2GE7X8E4	1.000 \$1.00 [Recovered]
19	SEI	Seagate	Seagate 20GB HDD 5ED2FGAE	1.000 \$1.00 [Recovered]
20	SEI	Seagate	Seagate 500GB HDD W3TCLHC2	1.000 \$1.00 [Recovered]
21	SEI	Seagate	Seagate 500GB HDD ZGE59RSQ	1.000 \$1.00 [Recovered]
22	SEI		Western Digital 40GB HDD WCAMC2695134	1.000 \$1.00 [Recovered]
23	SEI	Dell	Dell laptop Seagate 500GB laptop HDD HYY4J22	1.000 \$1.00 [Recovered]
24	SEI		Macbook Pro Western Digital 1 TB laptop HDD	1.000 \$1.00 [Recovered]
		A1297		

Reporting Officer(s): Schartner, Mary L.	ID Number 177	ID Number	Pages: 3 Of 5
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Brown County Sheriff's Office

Continuation

Incident Report Number 15-001896	Incident Location: 2077 Lawrence Dr;BCSO	Incident Date: 01/13/2015
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25	SEI		Western Digital 80 GB HDD WMAM95760633	1.000 \$1.00 [Recovered]
26	SEI	Apple	iMac desktop white older version	1.000 \$1.00 [Recovered]
27	SEI	Apple	iMac desktop from house office silver newer version	1.000 \$1.00 [Recovered]
28	SEI	Apple A142S	Macbook Air from house closet COZJKCL2DRS3	1.000 \$1.00 [Recovered]
29	SEI	A1212	Macbook Pro from house closet	1.000 \$1.00 [Recovered]
30	SEI		External back up drive Seagate 2TB HDD in house closet	1.000 \$1.00 [Recovered]
15-002062			STDS Z000100	[Recovered]
1	SEI	Acer MS2253	Acer laptop with Western Digital laptop 160GB HDD WXE908KND342	1.000 \$1.00 [Recovered]
2	SEI		Western Digital 80GB HDD Desktop WCAM94003998	1.000 \$1.00 [Recovered]
3	SEI		Western Digital 250GB HDD Desktop WMAYV0241469	1.000 \$1.00 [Recovered]
4	SEI		Western Digital 160 GB HDD Desktop WMAL94429164	1.000 \$1.00 [Recovered]
5	SEI		Western Digital My Book External HDD WCAZA8691811	1.000 \$1.00 [Recovered]

Reporting Officer(s): Schartner, Mary L.	ID Number 177	ID Number	Pages: 4 Of 5
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Brown County Sheriff's Office

Continuation

Incident Report Number 15-001896	Incident Location: 2077 Lawrence Dr;BCSO	Incident Date: 01/13/2015
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6	SEI	Western Digital 80GB HDD Desktop WMAM9DPJ3986	1.000 \$1.00 [Recovered]
7	SEI	Seagate 80GB HDD Desktop 3JV9KSS9	1.000 \$1.00 [Recovered]
8	SEI	Seagate 10GBN HDD Desktop 7BW0J9LY	1.000 \$1.00 [Recovered]
9	SEI	Western Digital 80GB HDD Desktop WMAJ51147090	1.000 \$1.00 [Recovered]
10	SEI	Maxtor 40GB HDD Desktop DG291A	1.000 \$1.00 [Recovered]
11	SEI	Seagate 40GB HDD Desktop 3HS115RW	1.000 \$1.00 [Recovered]
12	SEI	Hitachi 160 GB HDD Desktop RS2A9VBC	1.000 \$1.00 [Recovered]
13	SEI	Western Digital My Book External HDD with 10-26-11 on the front WCAWZ1480031	1.000 \$1.00 [Recovered]

Reporting Officer(s): Schartner, Mary L.	ID Number 177	ID Number	Pages: 5 of 5
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Brown County Sheriff's Office

Supplementary Report

Incident Report Number: 15-001896	Incident Location: 2077 Lawrence Dr;BCSO	Incident Date: 01/13/2015		
New Incident:	Original CFS Code - 1: 2399B	New CFS Code - 1:	New CFS Code - 2:	

NARRATIVE

On July 2, 2015, I, Sgt. Lannea Haney, was assigned to assist in a search warrant of a business at 2077 Lawrence Drive, suites A and B, DePere Wisconsin. There were also several other business locations and a residence listed in the search warrants, for the same incident of theft by fraud. At 8:00am Members of the Brown County Sheriff's office, DePere Police Department, Ashwaubenon Public Safety, DCI and the FBI, attended a briefing for the search warrants. I was assigned to be the evidence custodian at the 2077 Lawrence Drive Suite B location. Sgt. Roman Aronstein was assigned to be the evidence custodian at the same address, Suite A. Entry was made to the business at 10:37am. All Employees were identified and removed from the business prior to my entry. Once the building was cleared of all employees Sgt. Aronstein, Sgt Tilly and I, labeled each room, office, or work space in both suites A and B, for easier collection identification. After the work spaces were labeled I assisted Sgt Tilly as he photographed the business, I kept a log of photos taken. As Agents started the search, I relinquished the photo log position to Sgt. Tracy Steffens. Because of the amount of documents and electronics that were on site, Sgt Aronstein and I worked together to keep track of the seized items taken from suites A and B simultaneously. Teams of agents searched each of the suites. As agents located, collected and tagged each item seized, the items were brought out of the building to me. The items were verified, counted and entered into a "Notes" list in a program on Lt. Valley's Ipad by me. Sgt. Aronstein verified that each item was tagged and accounted for, in the list, as he loaded the items on the truck. Each tag stated the room it was removed from, who seized it and what was seized. The following is the list I compiled from 2077 Lawrence Drive Suites a and B.

Suite A

110

- 2 boxes - Documents - Stuckart
- 1 bag - Documents - Stuckart
- 1 bundle - hard copy - documents - Stuckart
- 2 boxes - Product - Atlas

113

- 1 bag - Electronics - Kinnard
- 2 Computer towers - Kinnard

112

- 1 4-drawer file cabinet - documents - Linsmeyer
- 1 bag - documents - Linsmeyer

119

- 3 boxes - documents - Stuckart

Reporting Officer(s): Haney, Lannea M.	Payroll Number: 143	Payroll Number:	Report Date: 07/09/2015
Reviewed by: Haney, Lannea M.	Payroll Number: 143	Copy To:	Page: 1 Of 5

Incident Report Number 15-001896	Incident Location: 2077 Lawrence Dr;BCSO	Incident Date: 01/13/2015
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1 bag - electronics - Stuckart
 2 bags - electronics - Burger
108
 1 box - electronics - Guth
 1 box - documents - Guth
111
 1 bag - documents- Kinnard
109
 1 Box - documents Wilson
 1 Box - documents Wisch
Chair 11
 2 boxes - documents - Stuckart
 2 box - documents - Guth
 2 boxes - documents - Linsmeyer
107
 1 box - documents - Wilson
116
 1 box - documents - Linsmeyer
123
 1 4-drawer file cabinet - documents - Wilson
106
 cash box with will and passports - Guth
 4 boxes documents - Guth
 1 bag electronics - Guth
101
 1-2 drawer file cabinet documents - Wilson
 1-4 drawer file cabinet of documents - Wilson
 2 bag electronics - Steffens
 1 box documents - Steffens
Closet A
 16 box documents - Atlas
3015
 3 boxes documents - Wisch
3020
 16 plastic totes -documents - Stuckart
 8 boxes documents - Stuckart
3021
 1 -2 drawer file cabinet - Kinnard
 4 boxes documents - Kinnard
 1 golf bag documents- Guth
 1 box documents - Linsmeyer
105
 2 boxes Documents Wisch
 1 box electronics - Wisch

Reporting Officer(s): Haney, Lannea M.	ID Number 143	ID Number	Pages: 2 Of 5
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Brown County Sheriff's Office

Continuation

Incident Report Number 15-001896	Incident Location: 2077 Lawrence Dr;BCSO	Incident Date: 01/13/2015
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3 bag documents - Wisch
Conference A
 7 boxes documents - Olmstead
 4 boxes documents - Tilly
 1 bag electronics - Olmstead
Conference room A -office #123
 Misc. Papers, Emails CDRs IMPORTANT PAPERS
3038
 2 boxes - Documents - Wilson
3018
 3 boxes - documents - Linsmeyer
 2 box - documents - Wilson
 2 plastic totes - documents - Wilson
104
 1 4-drawer file cabinet - Stuckart
3035
 2 box - documents - Steffens
 2 bag - electronics - Steffens
3011
 1 box - documents - Wisch
 1 box - Product - Guth
 3 bag - Product - Guth
 1 bag - documents - Guth
102 - Shelf
 3 boxes - documents - Atlas
 1 box - documents from wall - Atlas
102
 6 boxes - documents - Atlas
 1 box - documents - Guth
103
 1 Boxes - documents - Atlas
 1 4-drawer file cabinet - documents - Atlas
122
 2 bag - Electronic - Steffens
 1 box - documents Stuckart
123
 1 bag - electronics - Steffens
Entry
 1 box Product - Stuckart

SUITE B
Conference room B
 281 boxes - documents - Messer

Reporting Officer(s): Haney, Lannea M.	ID Number 143	ID Number	Pages: 3 Of 5
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Incident Report Number

15-001896

Incident Location:

2077 Lawrence Dr;BCSO

Incident Date:

01/13/2015

16 4-drawer file cabinets - documents - Messer
 1 3-drawer file cabinet - documents - Messer
 3 5-drawer file cabinet - documents - Messer
 35 plastic totes - documents - Messer
 1 bag - electronics - Laptop - Steffens
 1 bag - electronics - Steffens
 1 box - documents - Steffens
 2 boxes - documents - Guth
 1 box - misc tapes - Olmstead
 1 deck box - documents - Messer
Telephone room
 6 computer towers - Steffens
 1 box - electronics - Steffens
5
 16 bags - electronics (14 HDs, 1 thumb drive, 1 Laptop) -Atlas
6
 23 boxes documents - Stuckart
 1 box of electronics - Stuckart
3
 2 bag - electronics (1 laptop, 1 of discs,) - Steffens
 2 boxes - documents - Linsmeyer
Workroom
 28 boxes - documents - Wilson
 1 4-drawer file cabinet - documents - Wilson
 1 - 2 drawer file cabinet - documents - Wilson
 1 - hard drive - Steffens
 1 bag floppy discs - Valley
4
 8 boxes - documents - Racine/Wisch
 1 box product - Stuckart
1
 1 5-drawer file cabinet - documents - Linsmeyer
 5 boxes - documents - Tilly
 1 Cellphone - Tilly
 1 electronic Steffens - Laptop
Storage 1
 17 boxes - documents - Steffens
7
 27 -boxes - documents - Guth
 1 4-drawer file cabinet - documents - Guth
 1 2-drawer cabinet - documents - Guth
 1 bag - electronics (laptop &CD) - Guth
 1 box - documents - Kinnard
Reception
 1 box documents - Steffens

Reporting Officer(s):

Haney, Lannea M.

ID Number

143

ID Number

Pages:

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Brown County Sheriff's Office

Continuation

Incident Report Number 15-001896	Incident Location: 2077 Lawrence Dr;BCSO	Incident Date: 01/13/2015
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1 bag floppy discs - Steffens
2
9 boxes documents - Steffens
1 plastic tote - documents - Steffens
Suspect Phil
1 cell phone - Steffens

All of the items were taken back to the Brown County Sheriff's office for storage.

Reporting Officer(s): Haney, Lannea M.	ID Number 143	ID Number	Pages: 5 Of 5
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Brown County Sheriff's Office

Supplementary Report

Incident Report Number: 15-001896	Incident Location: 2077 Lawrence Dr;BCSO	Incident Date: 01/13/2015
New Incident: Information Report	Original CFS Code - 1: 2399B	New CFS Code - 1: 9007
		New CFS Code - 2:

SUMMARY

SEARCH WARRANT AT GREEN BOX LOCATED AT
2077 LAWRENCE DRIVE (SUITE A & SUITE B) DEPERE, WI 54115.

NAMES**Police Officer**

Aronstein, Deputy Roman of 2684 Development DR, Bellevue, WI, 54311
Work Phone: (920) 448-4200

NARRATIVE

On 07-02-15 I was assigned to assist Sgt. Schartner (Case Agent) in the execution of a search warrant at 2077 Lawrence Drive (Suite A and Suite B) De Pere, WI 54115 regarding Brown County Sheriff's Office (BCSO) Case #15-1896. All times are approximate.

On 07-02-15 at about 10:37 AM a search warrant was executed at a business by the name of Green Box located at 2077 Lawrence Drive (Suite A and Suite B) De Pere, WI 54115. This was a multi-agency operation that involved local, state and federal law enforcement officers. I was assigned to act as an evidence custodian. The following officers were also assigned to the execution of the aforementioned search warrant:

- Lt. Valley (BCSO - Brown County Sheriff's Office)
- Sgt. Steffens (BCSO)
- Detective Guth (DPD - De Pere Police Department)
- Detective Messer (ASPS - Ashwaubenon Public Safety)
- Sgt. Tilly (BCSO)
- Sgt. Haney (BCSO)
- S/A (Special Agent) Racine (DCI - Wisconsin Department of Criminal Investigation)
- S/A Wisch (DCI)
- Computer Forensic Analyst Berger (DCI)
- Computer Forensic Analyst Carleson (DCI)
- Computer Forensic Analyst Peterson (FBI - Federal Bureau of Investigation)
- Computer Forensic Analyst Lee (FBI)
- N/I (Narcotics Investigator) Stuckart (BCDTF - Brown County Drug Task Force)

Reporting Officer(s): Aronstein, Roman B.	Payroll Number: 249	Payroll Number:	Report Date: 07/09/2015
Reviewed by: Aronstein, Roman B.	Payroll Number: 249	Copy To:	Page: 1 OF 7

Brown County Sheriff's Office

Continuation

Incident Report Number 15-001896	Incident Location: 2077 Lawrence Dr;BCSO	Incident Date: 01/13/2015
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- N/I Wilson (BCDTF)
- N/I Olmsted (BCDTF)
- N/I Linsmeyer (BCDTF)
- N/I Atlas (BCDTF)
- N/I Lt. Kinnard (BCDTF)

Officers approached and entered the business, both Suite A and B. The business was unlocked and operational during normal business hours. Officers announced "Police Search Warrant" several times. S/A Racine identified the following individuals in Suite A:

- MIKE GARSOW DOB [Redacted]-84 (Sales) 920-412-5141
- SAVANNAH BRAUT DOB [Redacted]-89 (Marketing) 920-606-3544
- AARON NELSON DOB [Redacted]-80 (Sales and Finance) 720-217-6488
- NANCY VAN LANEN DOB [Redacted]-52 (Receptionist) 920-548-0134
- LAURA ANNE PROTENHAUER DOB [Redacted]-89 (906-280-3576)
- DONGLIN ZHANG DOB [Redacted]-97 (Marketing Intern) 920-664-3202
- JESSICA LEE WEYANDT DOB [Redacted]-87 (Morx/Okubo - Engineering Company - Denver) 720-541-4483

S/A Racine identified the following individuals in Suite B:

- MENG KIAO DOB [Redacted]-90 of 1957 Scheuring Road Apartment #7 De Pere, WI 54115 with a telephone number of 517-802-7701.KIAO is employed as a Green Box Human Resources Assistant for about two months.
- TY C. WILLIHNGANZ DOB [Redacted]-9 of 1551 Silverstone Trail Apartment #A De Pere, WI 54115 with a telephone number of 920-265-2165.WILLIHNGANZ is an attorney and has rented Suit B for about 4 years.
- JOSEPH L. KARCHINSKI DOB [Redacted]-81 of 1318 Crown Court De Pere, WI 54115 with a telephone number of 920-492-9652.KARCHINSKI is employed at Green Box as a Financial Analyst for about three months.

Once the individuals were identified they were escorted out of the business and advised that they were free to leave. The business was then processed for evidence. A poster containing the floor plan for Suit A and partial floor plan for Suite B was located inside the business. This floor plan was used as a guideline to identify the specific areas of the business in order to document where evidence was located. This floor plan was later turned over to Sgt. Schartner for processing. Detective Guth documented the business utilizing digital photographs. N/I Wilson documented the business utilizing a video camera. Officers then searched the business, documenting the location that items of evidentiary value were located and the individual that located those items. The items of evidentiary value were then brought outside in preparation for loading and transporting from the scene. Sgt. Haney documented each item that was removed from the business. Sgt. Haney noted the type of packaging used to collect the evidence, its general contents such as electronics or documents, the location it was found and the officer that located it. I then assisted Sgt. Haney and other officers in loading the items of evidentiary value which were subsequently transported and secured at

Reporting Officer(s): Aronstein, Roman B.	ID Number 249	ID Number	Pages: 2 Of 7
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Incident Report Number

Incident Location:

Incident Date:

15-001896

2077 Lawrence Dr;BCSO

01/13/2015

the Brown County Sheriff's Office to be examined at a later date. The following is a list of items of evidentiary value that were removed from Suite A:

110

2 boxes - documents - N/I Stuckart
 1 bag - documents - N/I Stuckart
 1 bundle - hard copy - documents - N/I Stuckart
 2 boxes - product - N/I Atlas

113

1 bag - electronics - N/I Lt. Kinnard
 2 Computer Towers - N/I Lt. Kinnard

112

1 four-drawer file cabinet - documents - N/I Linsmeyer
 1 bag - documents - N/I Linsmeyer

119

3 boxes - documents - N/I Stuckart
 1 bag - electronics - N/I Stuckart
 2 bags - electronics - Analyst Burger

108

1 box - electronics - Detective Guth
 1 box - documents - Detective Guth

111

1 bag - documents- N/I Lt. Kinnard

109

1 box - documents - N/I Wilson
 1 box - documents - S/A Wisch

Chair 11

2 boxes - documents - N/I Stuckart
 2 boxes - documents - Detective Guth
 2 boxes - documents - N/I Linsmeyer

107

1 box - documents - Wilson

116

1 box - documents - N/I Linszmeyer

Reporting Officer(s):

Aronstein, Roman B.

ID Number

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Incident Report Number

15-001896

Incident Location:

2077 Lawrence Dr;BCSO

Incident Date:

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123

1 four-drawer file cabinet - documents - N/I Wilson

106

Cashbox with will and passports - Detective Guth

4 boxes - documents - Detective Guth

1 bag - electronics - Detective Guth

101

1 two-drawer file cabinet - documents - N/I Wilson

1 four-drawer file cabinet - documents - N/I Wilson

2 bags - electronics - Sgt. Steffens

1 box - documents - Sgt. Steffens

Closet A

16 boxes - documents - N/I Atlas

3015

3 boxes - documents - S/A Wisch

3020

16 plastic totes - documents - N/I Stuckart

8 boxes - documents - N/I Stuckart

3021

1 two-drawer file cabinet documents - N/I Lt. Kinnard

4 boxes - documents - N/I Lt. Kinnard

1 golf bag - documents - Detective Guth

1 box - documents - N/I Linsmeyer

105

2 boxes - documents - S/A Wisch

1 box - electronics - S/A Wisch

3 bags - documents - S/A Wisch

Conference A

7 boxes - documents - N/I Olmstead

4 boxes - documents - Sgt. Tilly

1 bag - electronics - N/I Olmstead

Conference Room A - Office #123

Documents

Reporting Officer(s):

Aronstein, Roman B.

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Brown County Sheriff's Office

Continuation

Incident Report Number 15-001896	Incident Location: 2077 Lawrence Dr;BCSO	Incident Date: 01/13/2015
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3038

2 boxes - Documents - N/I Wilson

3018

3 boxes - documents - N/I Linsmeyer
2 boxes - documents - N/I Wilson
2 plastic totes - documents - N/I Wilson

104

1 four-drawer file cabinet - documents - N/I Stuckart

3035

2 boxes - documents - Sgt. Steffens
2 bags - electronics - Sgt. Steffens

3011

1 box - documents - S/A Wisch
1 box - product - Detective Guth
3 bags - product - Detective Guth
1 bag - documents - Detective Guth

102 - Shelf

3 boxes - documents - N/I Atlas
1 box - documents from wall - N/I Atlas

102

6 boxes - documents - N/I Atlas
1 box - documents - Detective Guth

103

1 box - documents - N/I Atlas
1 four-drawer file cabinet - documents - N/I Atlas

122

2 bags - electronics - Sgt. Steffens
1 box - documents - N/I Stuckart

123

1 bag - electronics - Sgt. Steffens

Entry

1 box product - N/I Stuckart

Reporting Officer(s): Aronstein, Roman B.	ID Number 249	ID Number	Pages: 5 Of 7
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Incident Report Number

15-001896

Incident Location:

2077 Lawrence Dr;BCSO

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01/13/2015

The following is a list of items of evidentiary value that were removed from Suite B:

Conference Room B

281 boxes - documents - Detective Messer
 16 four-drawer file cabinets - documents - Detective Messer
 1 three-drawer file cabinets - documents - Detective Messer
 3 five-drawer file cabinets- documents - Detective Messer
 35 plastic totes - documents - Detective Messer
 1 bag - electronics - laptop - Sgt. Steffens
 1 bag - electronics - Sgt. Steffens
 1 box - documents - Sgt. Steffens
 2 boxes - documents - Detective Guth
 1 box - miscellaneous tapes - N/I Olmstead
 1 deck box - documents - Detective Messer

Telephone Room

6 computer towers - Sgt. Steffens
 1 box - electronics - Sgt. Steffens

Office #5

16 bags - electronics (14 HDs, 1 thumb drive, 1 laptop) - N/I Atlas

Office #6

23 boxes - documents - N/I Stuckart
 1 box - electronics - N/I Stuckart

Office #3

2 bags - electronics (1 laptop, 1 discs) - Sgt. Steffens
 2 boxes - documents - N/I Linsmeyer

Workroom

28 boxes - documents - N/I Wilson
 1 four-drawer file cabinet - documents - N/I Wilson
 1 two-drawer file cabinet - documents - N/I Wilson
 1 hard drive - Sgt. Steffens
 1 bag floppy discs - Lt. Valley

Office #4

8 boxes - documents - S/A Racine and S/AWisch
 1 box - product - N/I Stuckart

Office #1

1 five-drawer file cabinet - documents - N/I Linsmeyer
 5 boxes - documents - Sgt. Tilly

Reporting Officer(s):

Aronstein, Roman B.

ID Number

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ID Number

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Incident Report Number
15-001896

Incident Location:
2077 Lawrence Dr;BCSO

Incident Date:
01/13/2015

1 cellular telephone - Sgt. Tilly
1 laptop - Sgt. Steffens

Storage #1

17 boxes - documents - Sgt. Steffens

Office #7

27 -boxes - documents - Detective Guth
1 four-drawer file cabinet - documents - Detective Guth
1 two-drawer cabinet - documents - Detective Guth
1 bag - electronics (laptop & CD) - Detective Guth
1 box - documents - N/I Lt. Kinnard

Reception

1 box - documents - Sgt. Steffens
1 bag - floppy discs - Sgt. Steffens

Office #2

9 boxes - documents - Sgt. Steffens
1 plastic tote - documents - Sgt. Steffens

Sgt. Steffens also recovered a cellular telephone from PHILLIP J. REINHART DOB 07-01-58.

At about 7:00 PM the search was concluded. Sgt. Schartner advised me that the business was turned over to DAVID VAN DEN HEUVEL and PHIL REINHART. All officers then departed the area.

Reporting Officer(s):
Aronstein, Roman B.

ID Number
249

ID Number

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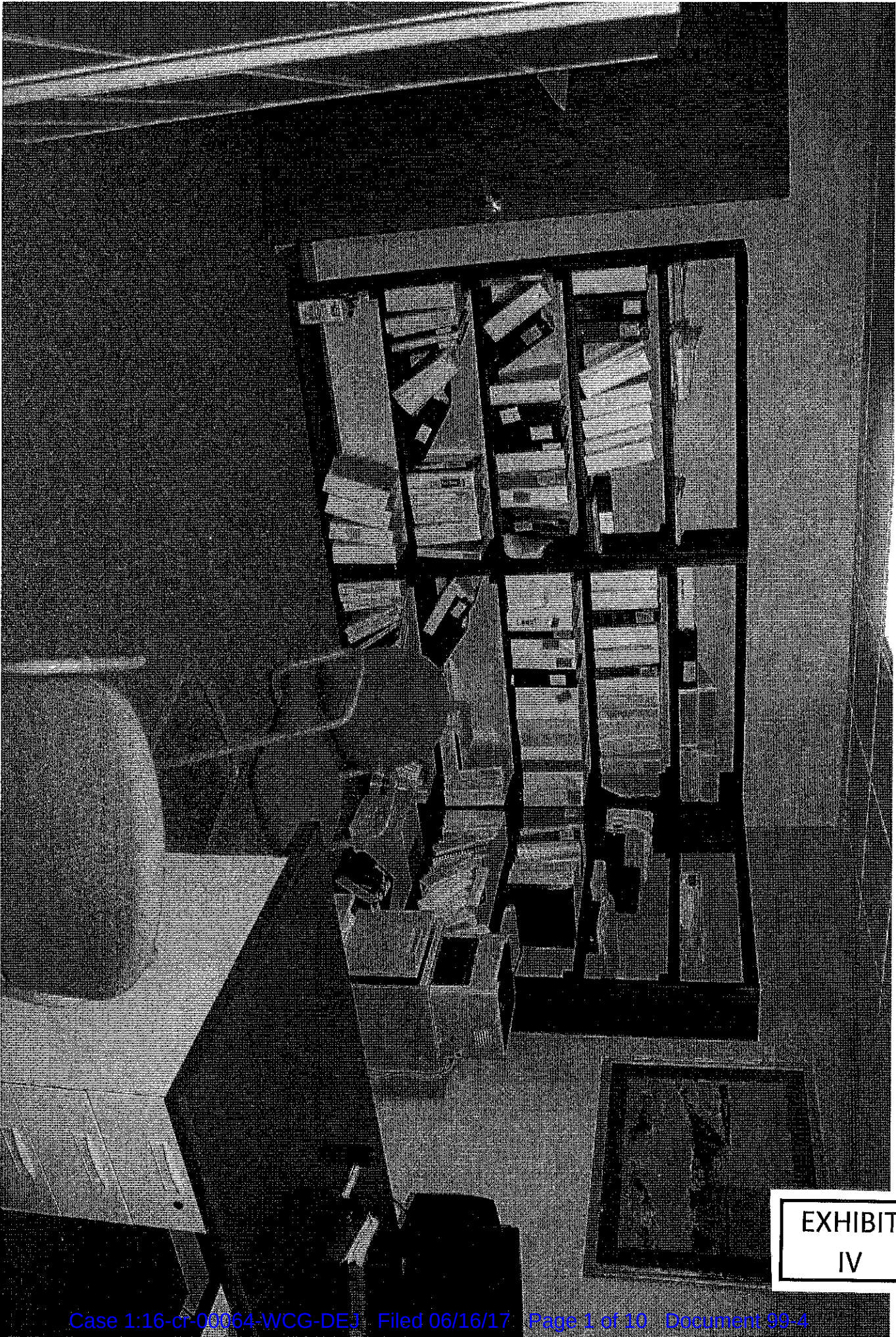
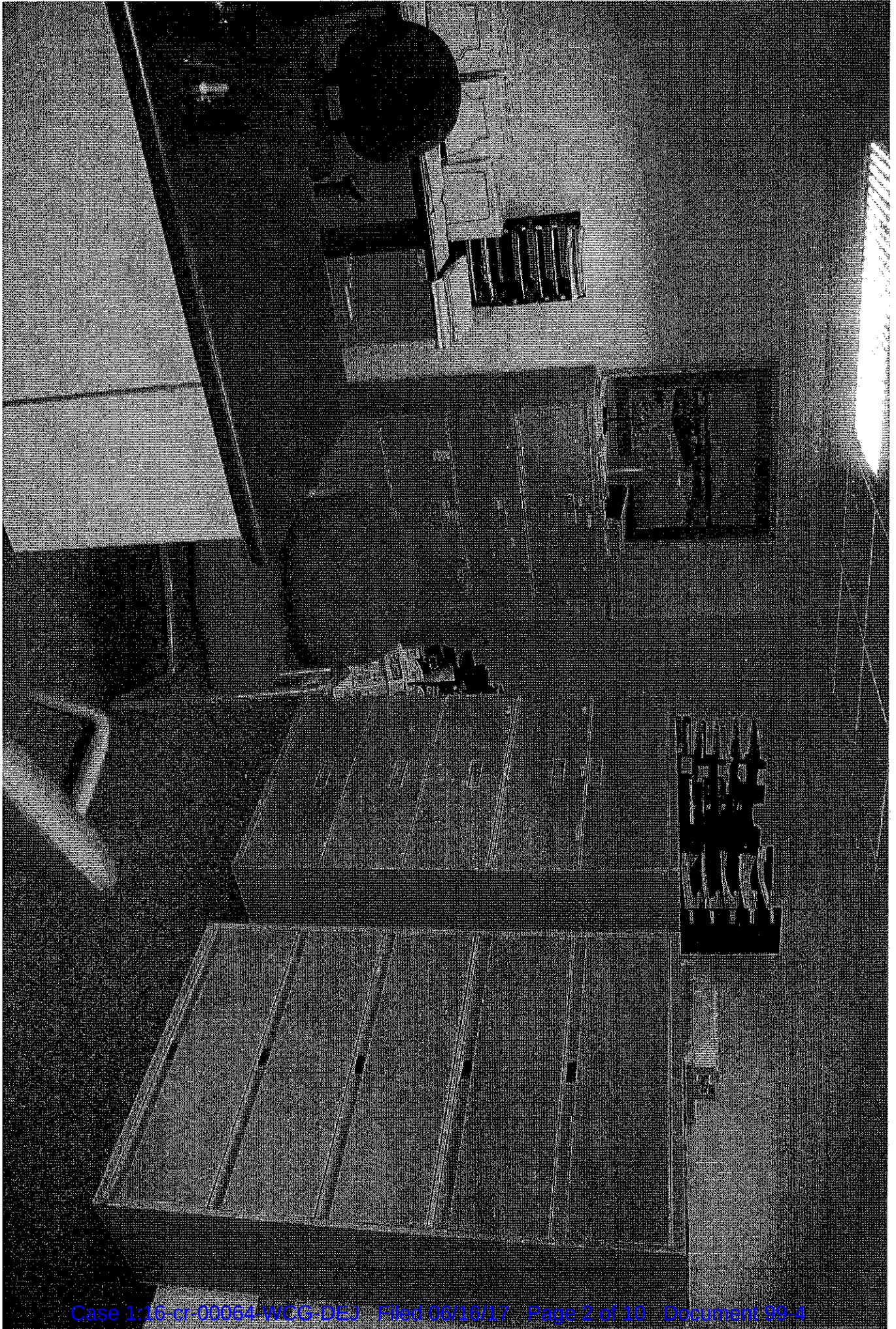
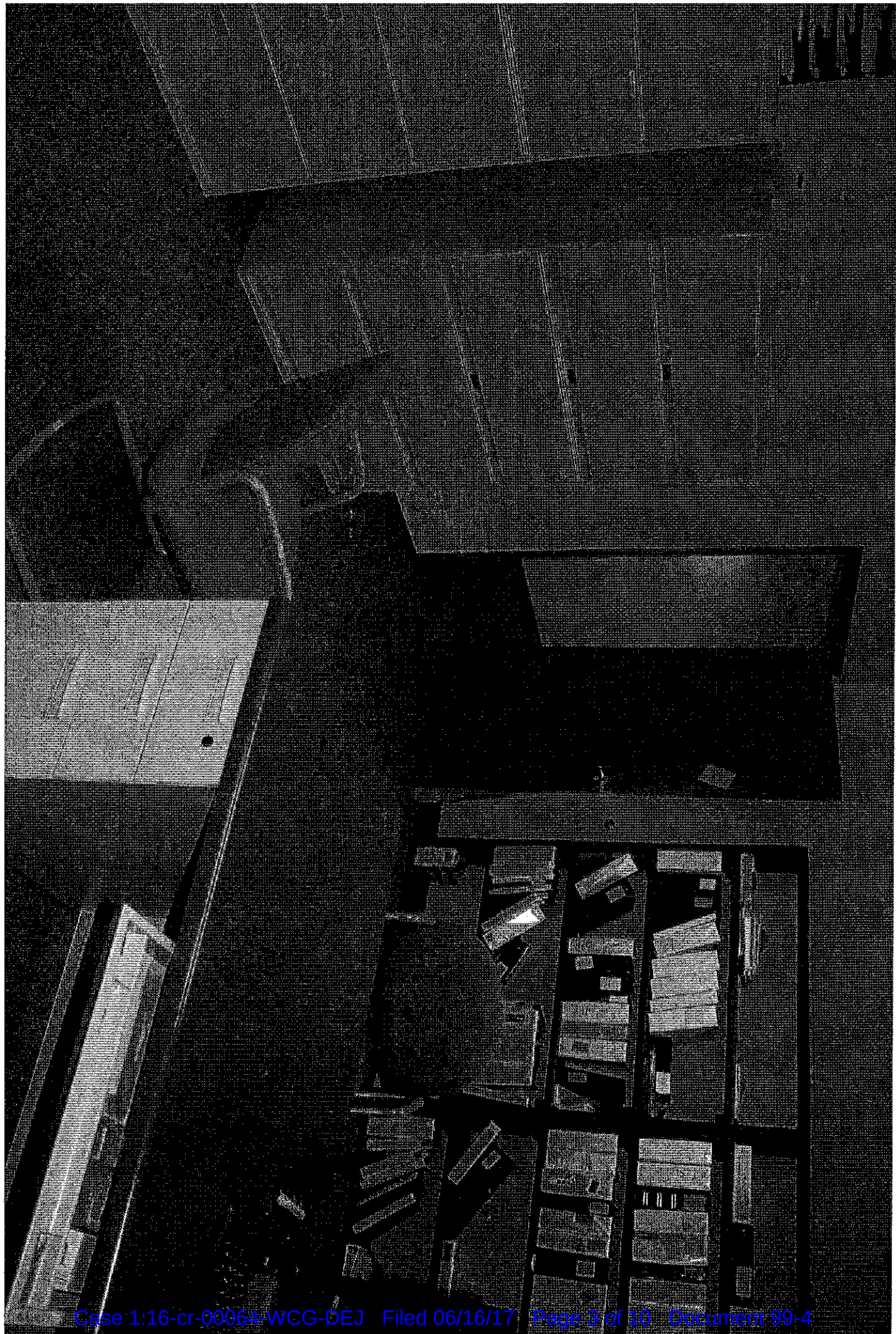
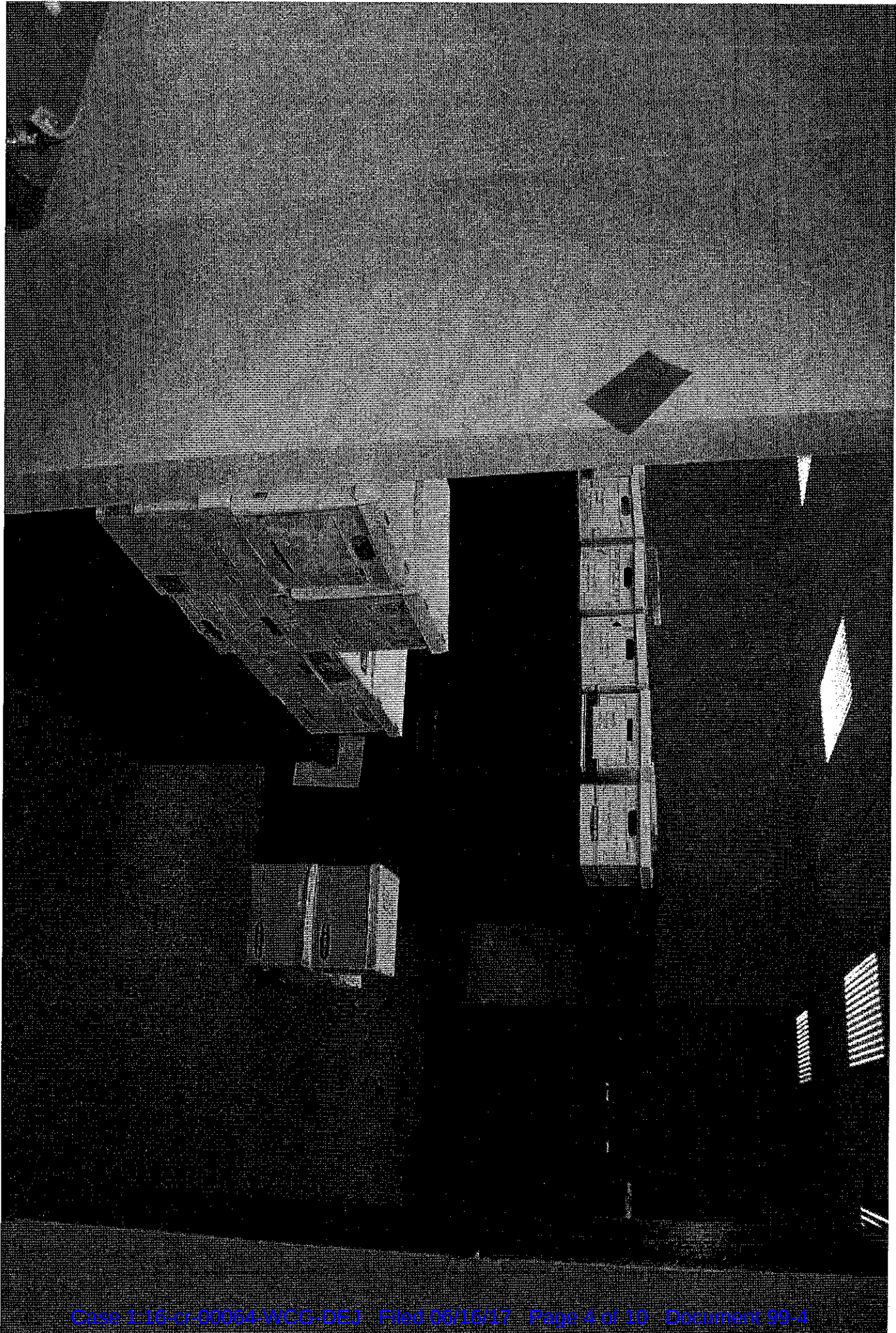
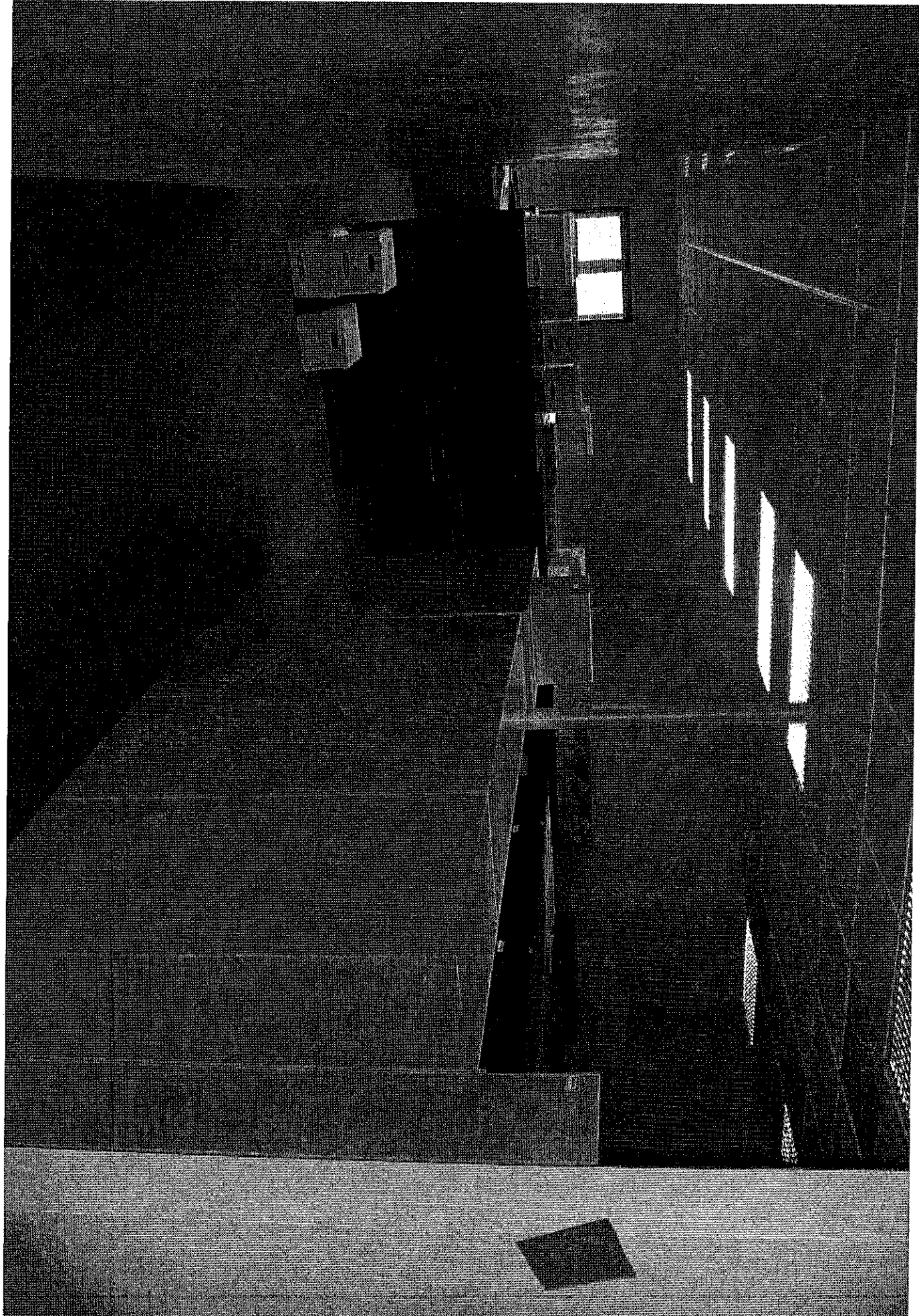


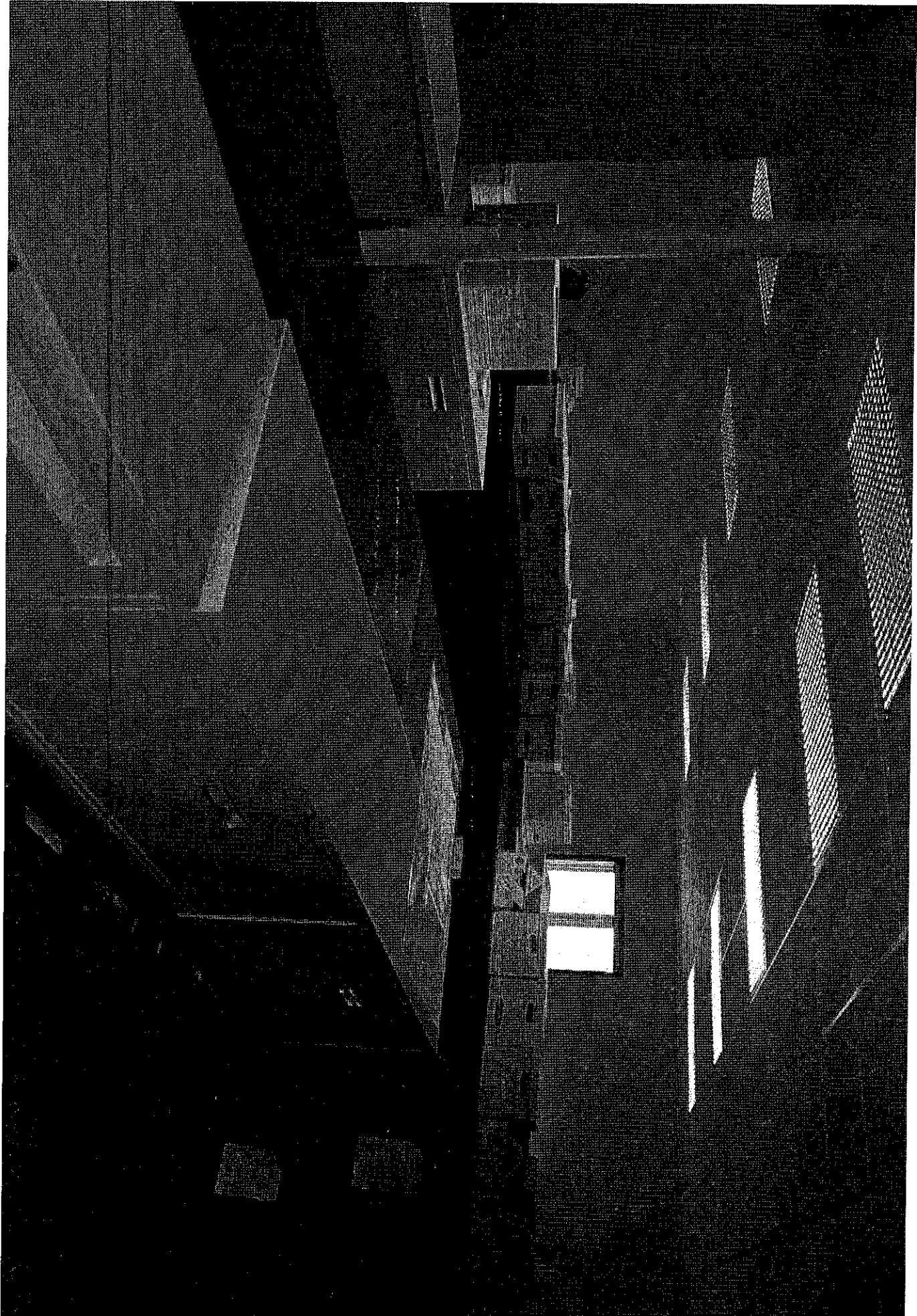
EXHIBIT
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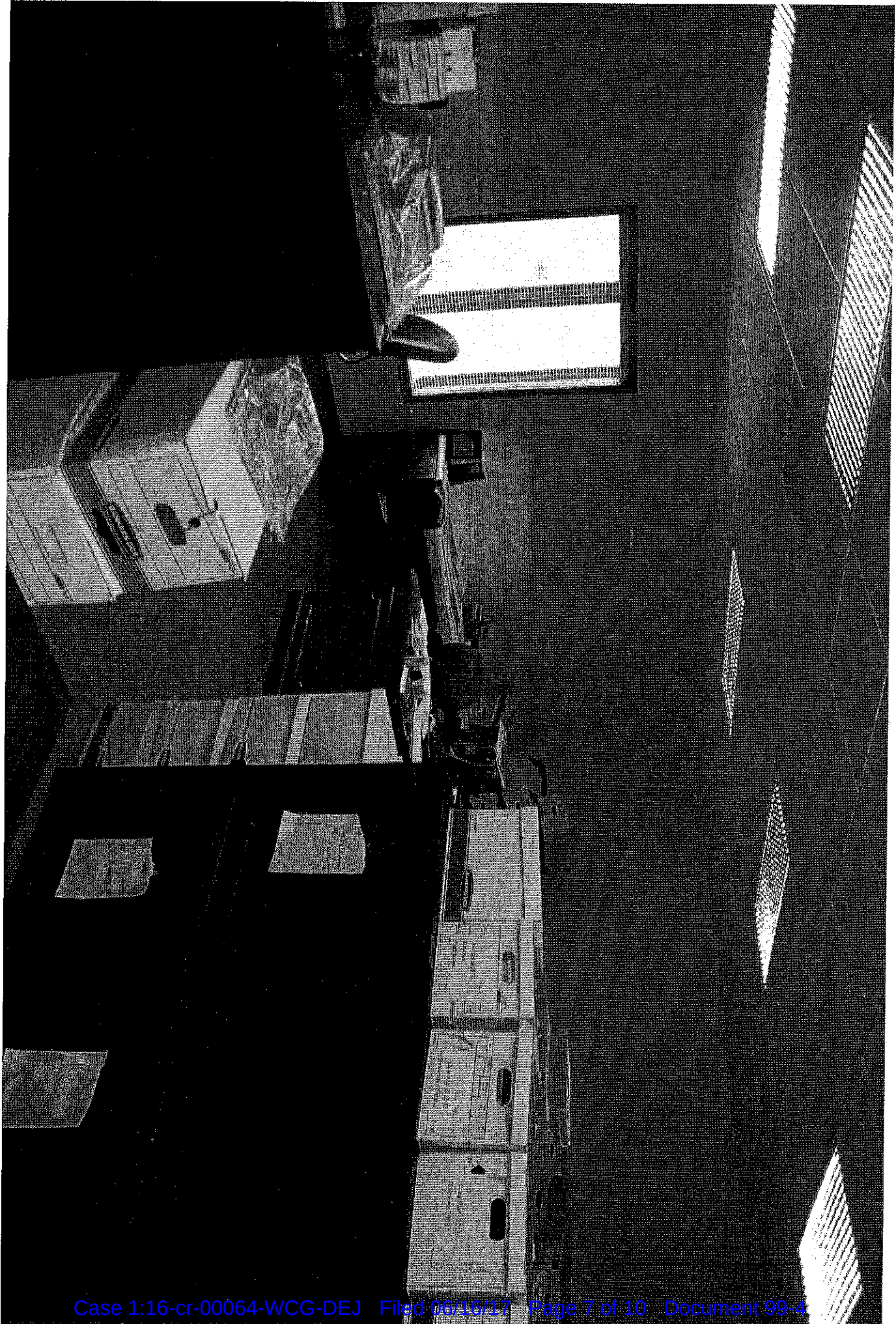


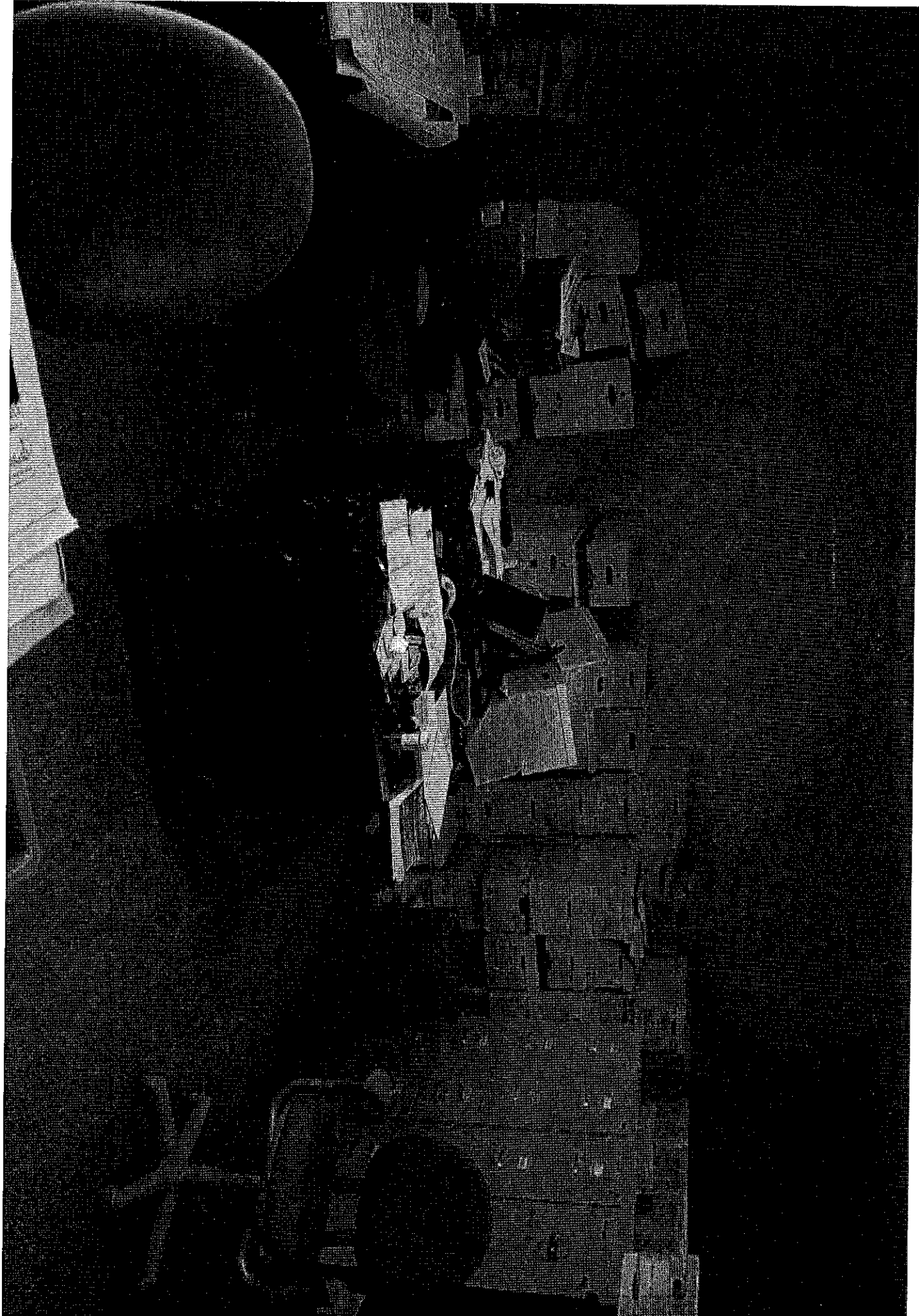


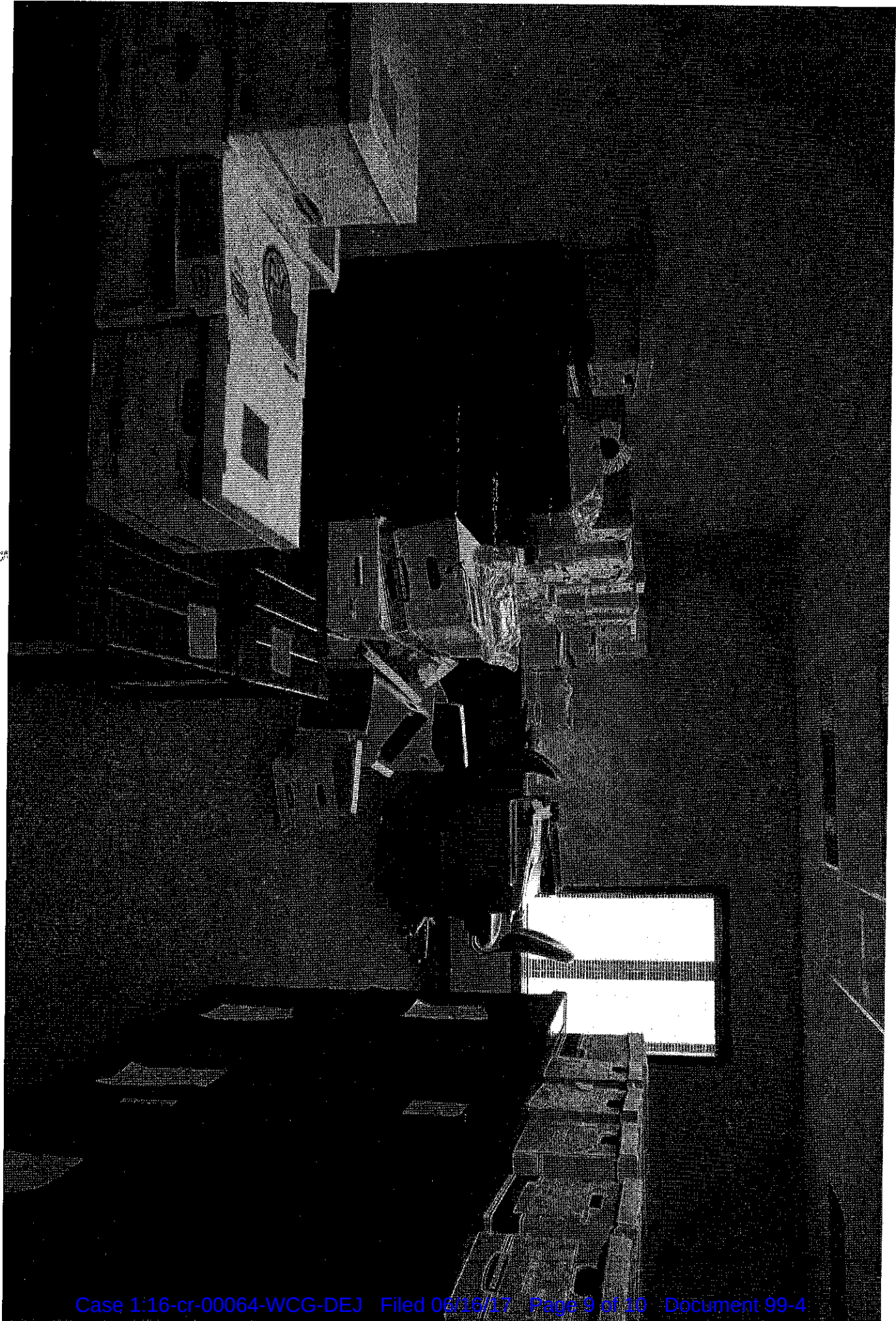


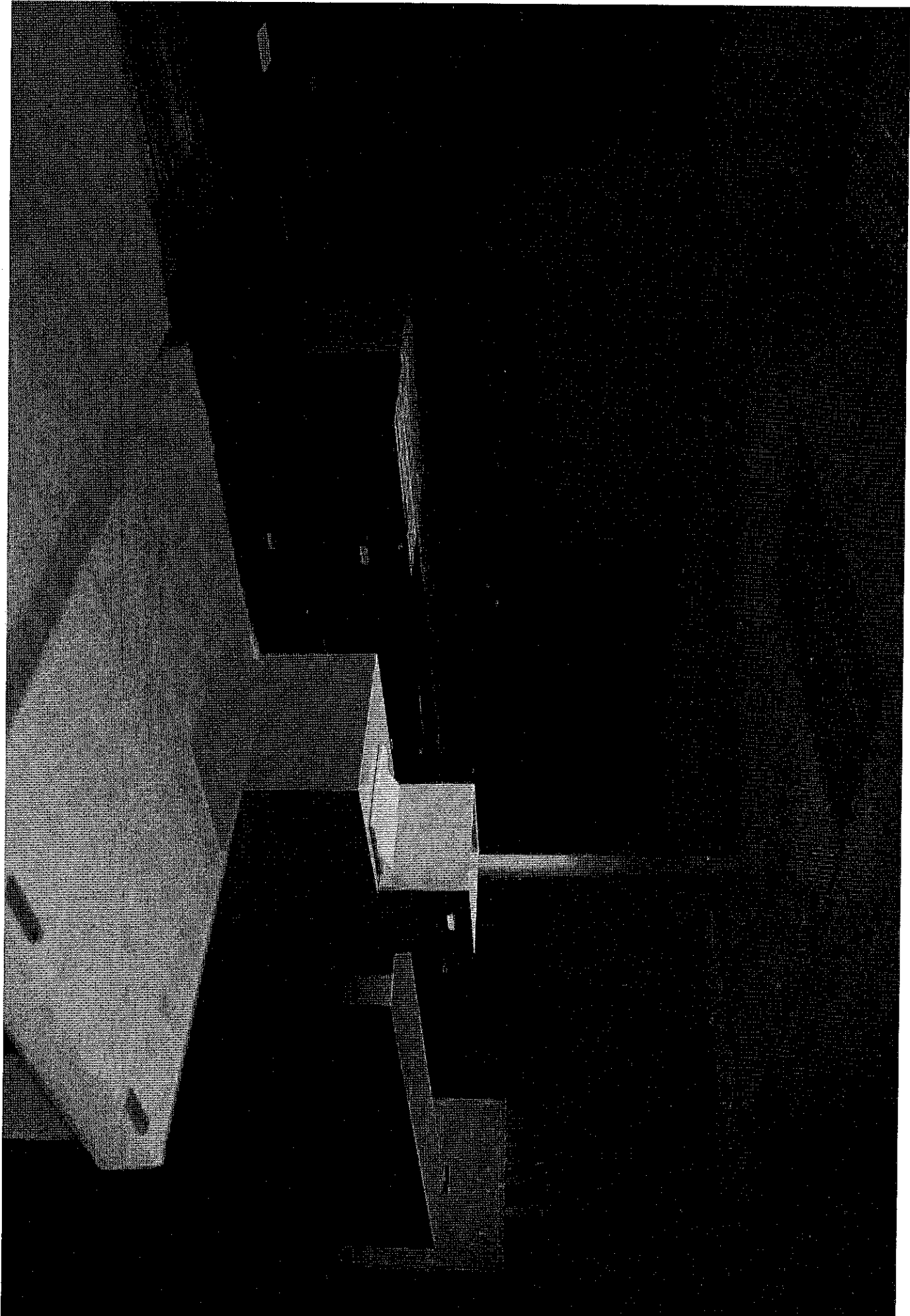












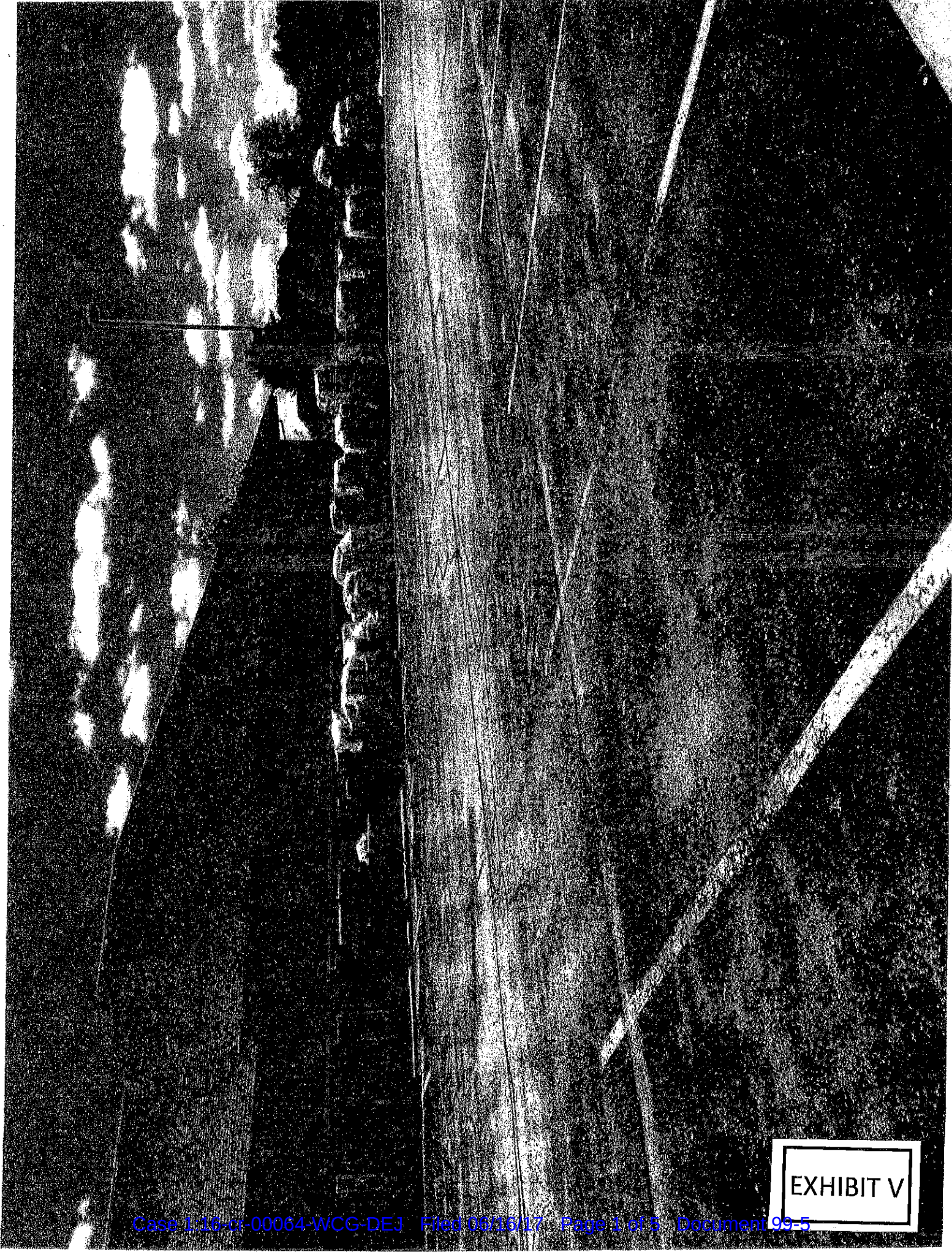
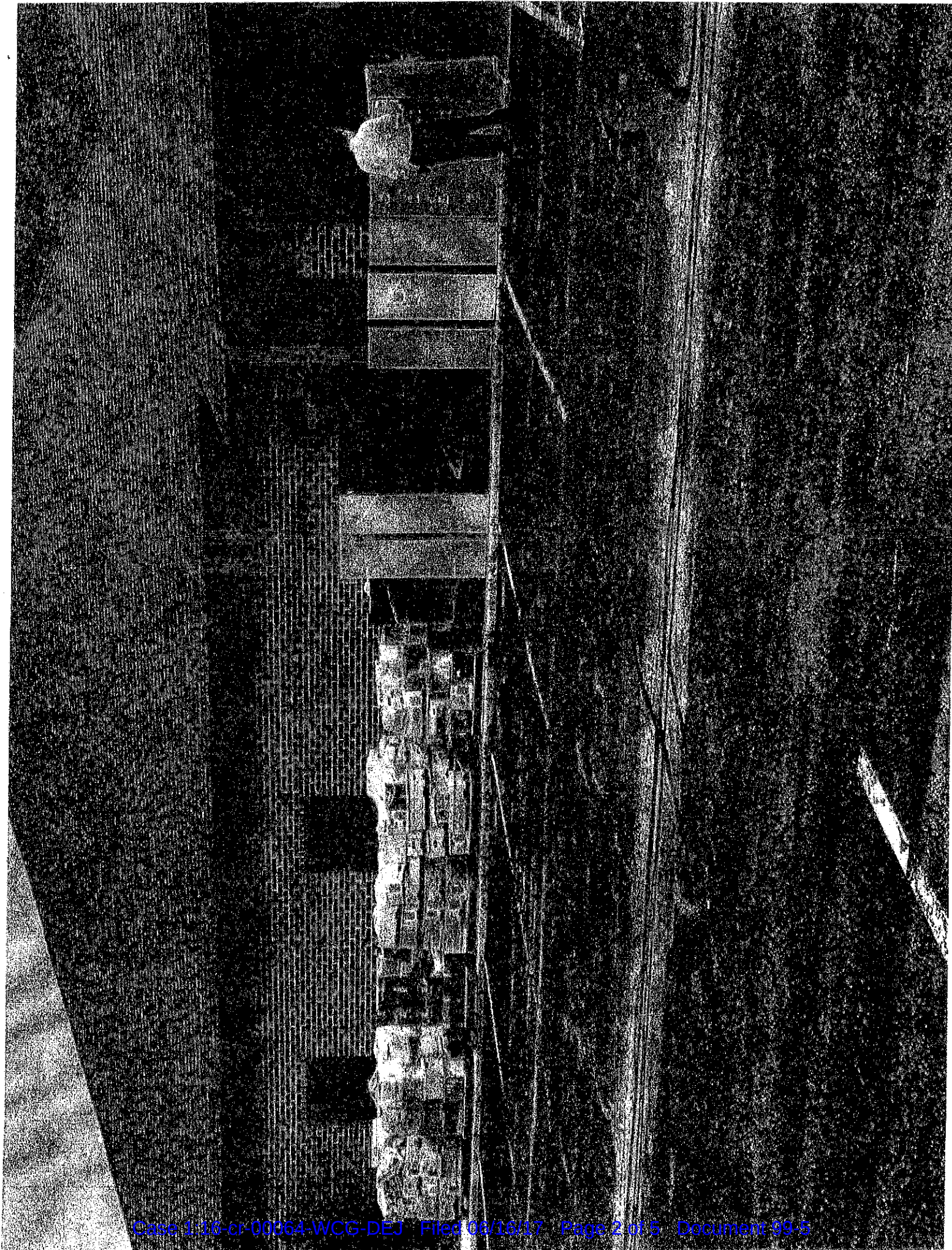
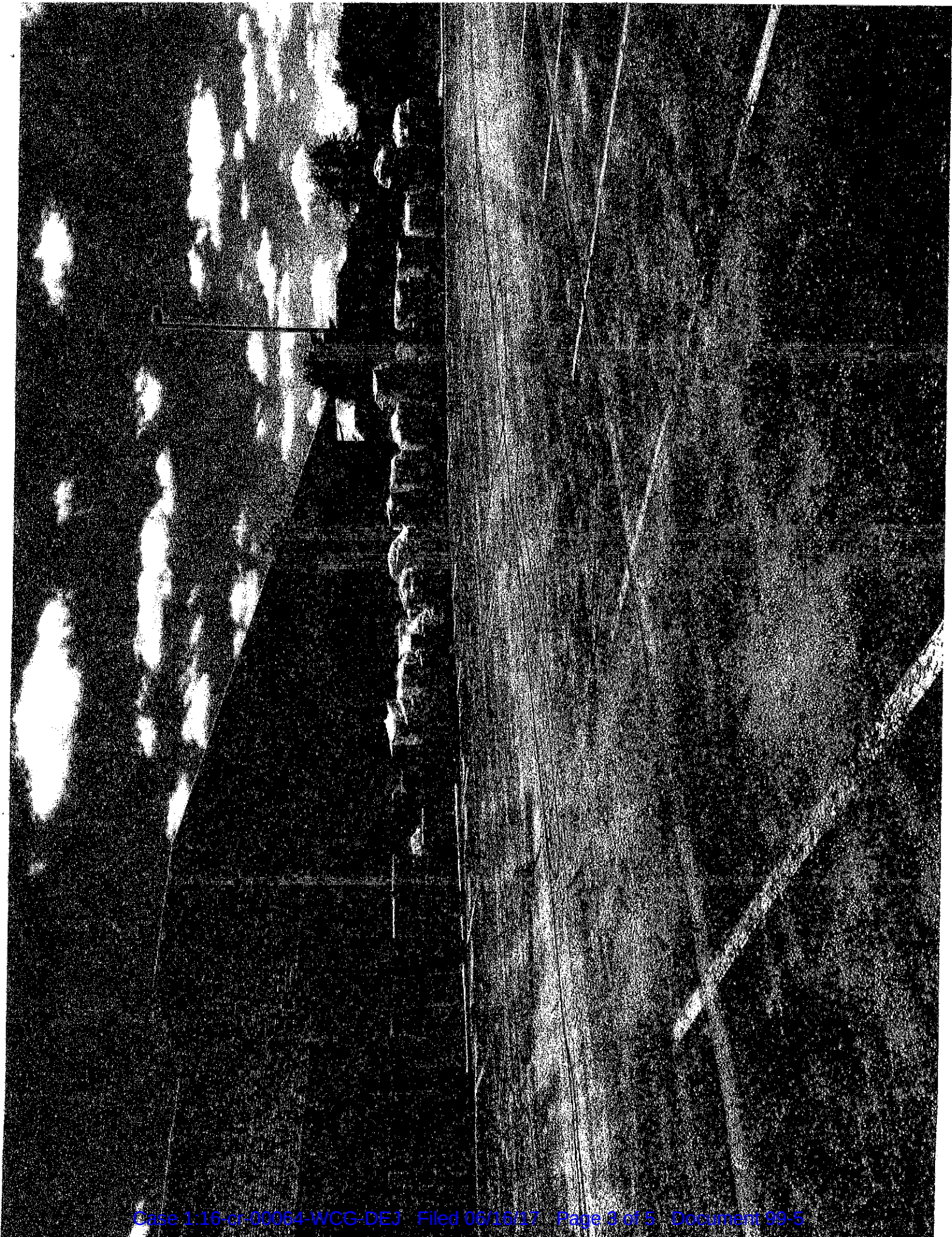
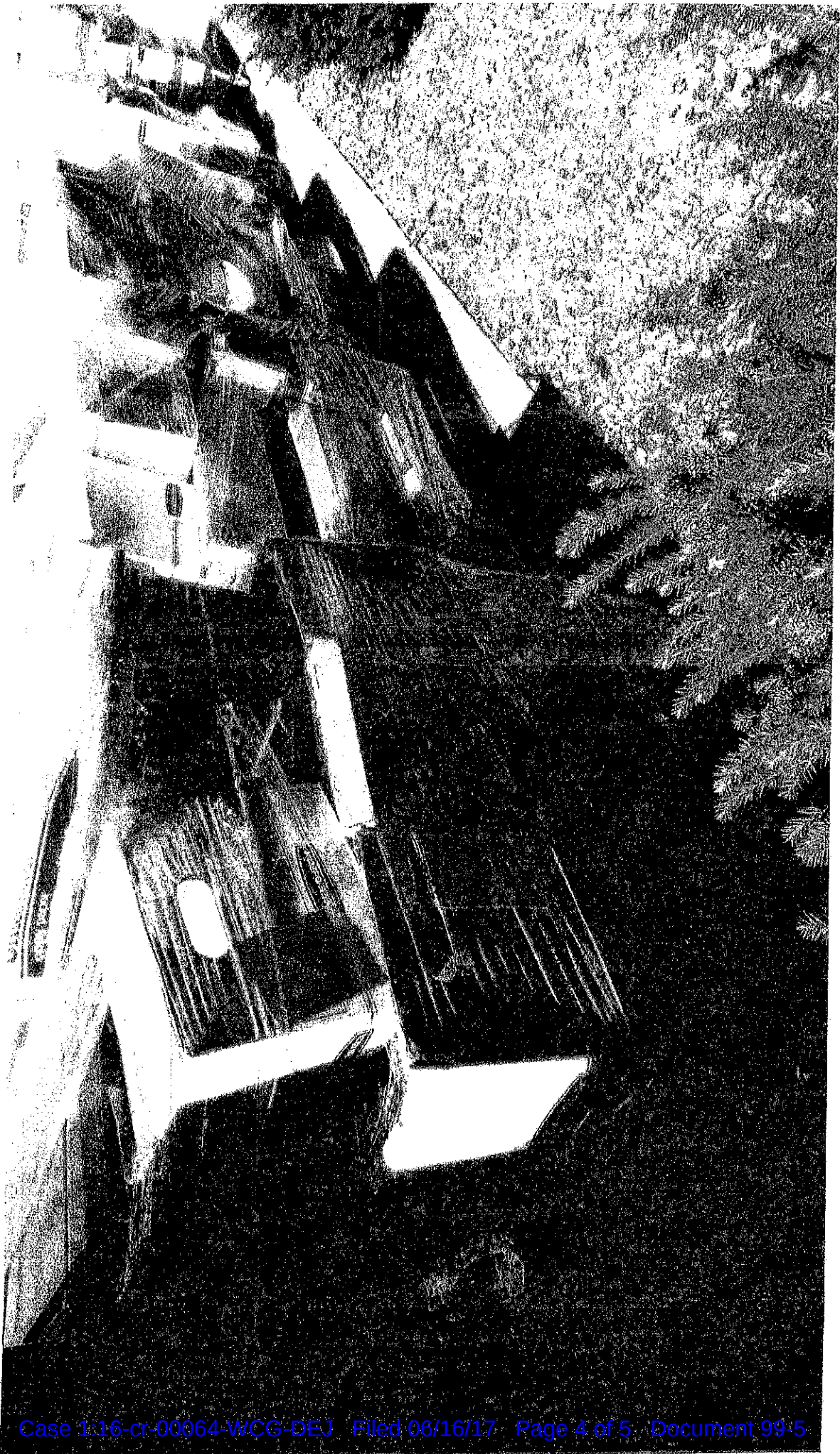
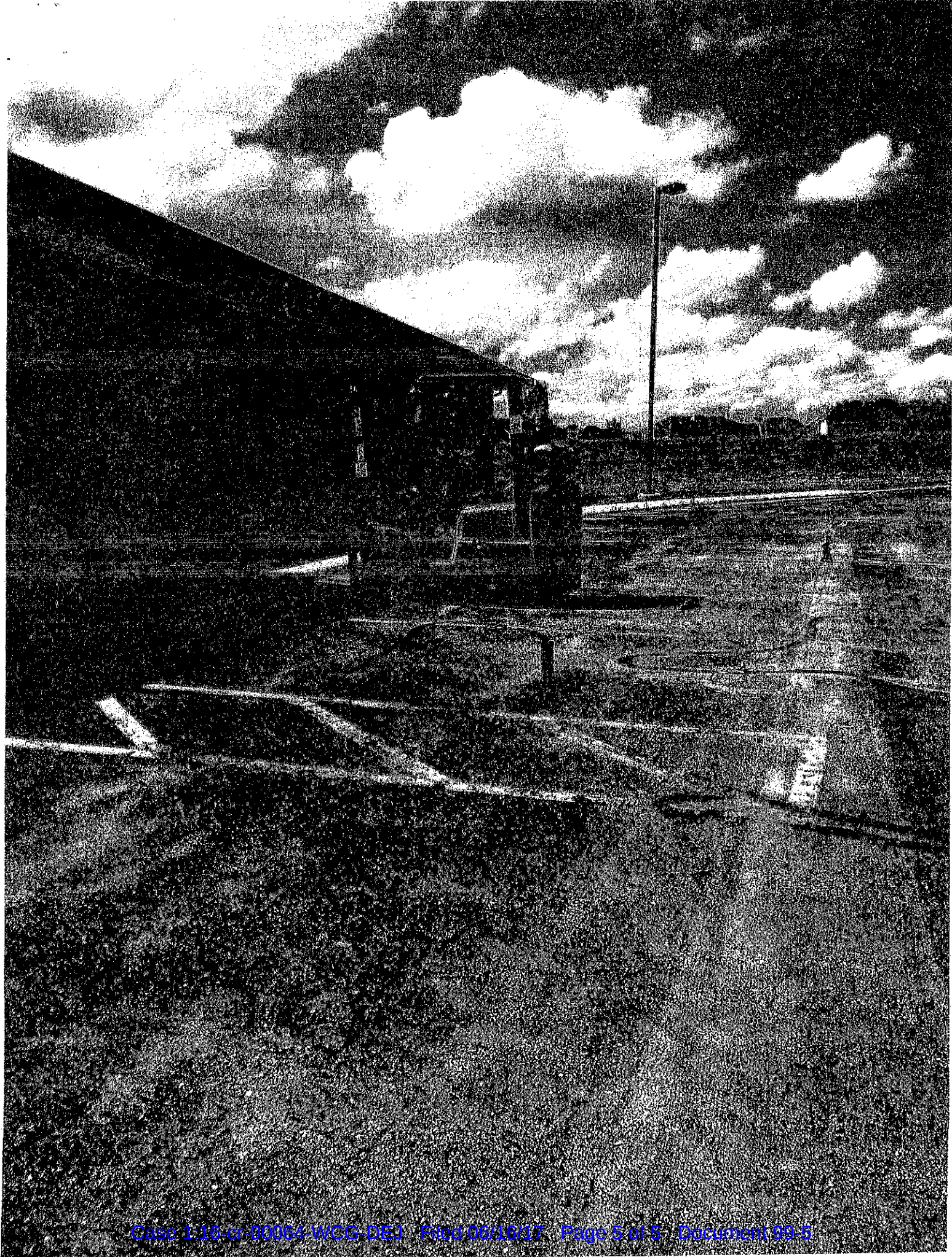


EXHIBIT V









was sure that he would give them the codes. The officers responded that no one is contacting Ronald Van Den Heuvel at this time. I was allowed by the police to lock up the Green Box offices when the officers left, at approximately 7:00 p.m..

4. After the searches were conducted, I participated with other Green Box employees in assessing the damage done by the officers to our offices, determining what was taken in order to get our business operational again, and cleaning up and repairing damage done by the officers. The Green Box offices were left in disarray by the police. The attached photographs accurately depict the condition of the offices when the police finished searching (Exh. 14).

5. From my own personal knowledge, as well as discussions with other employees, I believe that the following things were taken by the police in the search of the Green Box offices:

- (a) virtually all paperwork, binders, documents and file cabinets from both office suites. I would estimate that approximately sixty to eighty boxes of materials were seized with respect to documents that pre-date January 1, 2010;
- (b) approximately eight file cabinets of intellectual property-related documents dated prior to January 1, 2010;
- (c) numerous licenses held by Mr. Van Den Heuvel, all issued prior to January 1, 2010;
- (d) white boards (physically removed from the premises) and drawings;
- (e) all closing documents related to Oconto Falls Tissue from 2007;

- (f) personal letters written during the World War II era by Mr. Van Den Heuvel's father, who was stationed overseas, to Mr. Van Den Heuvel's mother;
- (g) Van Den Heuvel family photographs;
- (h) EPA diesel sediment samples;
- (i) biofuel samples;
- (j) tire to oil samples;
- (k) sugar to ethanol samples;
- (l) pellet samples;
- (m) cellulose to sugar samples;
- (n) all Green Box computers including the server and backups to the system from both suites;
- (o) numerous personal and work cell phones and personal computers taken from Green Box employees, and from two individuals with separate businesses using office space at 2077 A and 2077 B Lawrence Drive;
- (p) my personal papers, including business cards (both personal and professional), personal bills (WPS bill for my home, my daughter's student loans, credit card, water bill, etc.) and financial banking information (two personal checkbooks) from a personal binder in my office that were taken when I was allowed to return to my office escorted by the officers to retrieve my personal items.

6. From my personal knowledge, I believe that the following things were taken by the police in the search of my office directly (Human Resources), both in digital and paper form, and in some cases multiple paper copies:

- (a) past and current Green Box employee handbooks;

- (b) all personnel files for past and current employees. This includes federal and state tax forms, contact information, performance reviews and any disciplinary activities, all benefit enrollment forms and/or changes, applications/resumes, employee contracts and compensation agreements, social security number, etc. HIPPA issues;
- (c) blank new hire packets that are given out to any new hires on their first day of employment;
- (d) health and dental benefit enrollment packets provided by UHC and Guardian with the company's plan details and coverage information;
- (e) all 401K blank new enrollment packets given to all employees upon meeting the eligibility criteria for the company plan;
- (f) past and current company insurance policies and proposals;
- (g) all updated job descriptions and associated pay rates documentation;
- (h) all current and past OSHA logs for operations which our company is required to have on hand at all times to be in compliance with OSHA regulations;
- (i) all SOP (standard operating procedures) documents for Green Box operations and training manuals for various positions;
- (j) all MSDS (Material Safety Data Sheet) for operations, as required by OSHA for any manufacturing facility where chemicals are present.

7. My understanding is that the police who conducted the searches of these premises had the ability to copy or mirror the hard drives of any computers on-site, thus capturing the contents of the hard drive without having to physically remove the computer. The police did not do this with respect to the Green Box computers located at 2077 Lawrence Drive, Suite A and B, De Pere, WI 54115. They physically removed all computers from the

2077 Lawrence Drive, Suite A and B Green Box offices. At the 500 Fortune Avenue facility and the 2107 American Boulevard facility, I have been informed by employees that the police made copies or mirrored the hard drives and other related information. The intent of the actions taken at the 2077 Lawrence Drive location seemed to be to shut down the Green Box operations. As of the date of this affidavit, the computers have not been returned to us, nor have we been provided with a copy of the hard drives by the police.

8. In addition to removing the Green Box computers, the police disabled our phone system and data lines before they left the offices. The attached photograph, Exh. 14, documents this damage. After the police left, our phone lines were not working. We had to repair this damage in order to get our offices operational again. Upon contacting TDS (our phone and internet provider) to send out a technician, he discovered the "d-mark" had been disengaged, thereby cutting off any phone or internet access.

9. Additional damage to our offices by the police include a projector physically removed from the ceiling of a conference room and six telephones that appeared to have been broken.

10. The police took numerous personal phones and laptops from Green Box employees and tenants. While in the Green Box offices, I overheard one of our employees, Savannah Brault, ask one of the officers if she could keep her personal laptop. Ms. Brault attempted to explain to the officer that it was for her own personal use. She further explained that this was the only day in her entire employment that she brought this personal laptop to

work and it was not used for any Green Box related activities at all. I heard the officer reply, in substance, that all electronic equipment on the Green Box premises would be taken.

11. While in the Green Box offices during the search, a female officer (not Sgt. Mary Schartner) informed me that "we are taking all electronic and paper files in both suites."

12. I was further informed by the same female law enforcement officer involved in searching the Green Box offices that "there will be nothing left for your employees to do when we are done. Companies do not recover when we are done."

13. In contrast to the manner in which all the computers were physically removed from the Green Box offices and not returned, I have been informed that at the Eco Fibre facility (500 Fortune Avenue), the police copied the main frame computers and left the computers on the premises.

14. Similarly, I am aware that, at the Patriot Tissue facility (2107 American Boulevard), I have been informed that the main frame computers and personal computers were copied by the police, with the computers left on the premises.

Dated at De Pere, Wisconsin this 23 day of November, 2015.

Phil J. Reinhart
Phil Reinhart

Subscribed and sworn to before me this
23 day of November, 2015.

Nancy E. VanDamer
Notary Public, State of Wisconsin
My commission expires: September 21, 2018

In the Matter of the Return of Property
to Ronald Van Den Heuvel

FILED UNDER SEAL

Case No.

AFFIDAVIT OF KELLY VAN DEN HEUVEL

STATE OF WISCONSIN)

)SS.

BROWN COUNTY)

Kelly Van Den Heuvel, being first duly sworn on oath, deposes and says as follows:

1. I live at 2303 Lost Dauphin Road in the Town of Lawrence. I live there with my husband, Ron Van Den Heuvel, and our two children, H.V., age 13, and K.V., age 11.
2. Our home, and my husband's office at 2077 Lawrence Drive, Suites A and B, De Pere, were searched by the police on July 2, 2015. We were not home at the time. In this affidavit I will set forth the personal documents, records and items belonging to me, my husband, and our children that I believe were taken from our home or my husband's office.
3. I believe that the following personal documents, records and items belonging to me were taken by the police:
 - a. a 2002 medical file pertaining to two of my physicians, Dr. Bridge and Dr. Herman;
 - b. my 2004 medical records from Prevea and Dr. Southwick pertaining to my pregnancy with my daughter, K.V.;
 - c. my dental files;

EXHIBIT
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- d. my medical records pertaining to my breast examination and biopsy with Dr. Salm Schmidt;
- e. my medical records from Aurora;
- f. all school information pertaining to my children;
- g. information pertaining to my family, such as my mother's banking information;
- h. two MacBook Pros belonging to me;
- i. a Mac desktop computer belonging to me;
- j. an iPad belonging to me.

4. I believe that the following documents, records and items pertaining to my minor son, H.V., were taken by the police:

- a. multiple files, going back to 2002, pertaining to medical treatment that H.V. has received from St. Vincent's Hospital and from a neonatologist;
- b. extensive files from Prevea, Children's Hospital, and Dr. Edgar pertaining to medical treatment for H.V.;
- c. all files pertaining to H.V.'s medical treatment with Prevea and Dr. Bridge;
- d. H.V.'s medical files from the Mayo Clinic and Bellin Health;
- e. a MacBook Air computer belonging to H.V.;
- f. iPad.

5. I believe that the following documents, records and items pertaining to my minor daughter, K.V., were taken by the police:

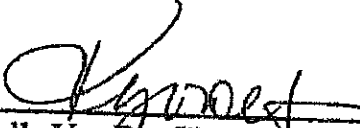
- a. medical records pertaining to her treatment at St. Vincent's hospital, with a neonatologist, at Bellin Health, and with an ophthalmologist;
- b. a MacBook Air computer belonging to K.V.;
- c. an iPad belonging to K.V.;
- d. a Kindle Fire belonging to K.V.

6. I believe that the following personal items pertaining to my husband Ron were taken by the police:

- a. his medical records pertaining to treatment at the Mayo Clinic;
- b. his medical records pertaining to his diabetes medicines and dosages.

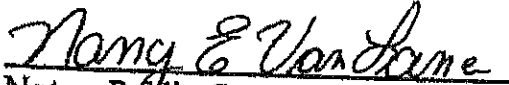
7. I am still attempting to reconstruct all of the things that were taken by the police. I will bring any additional information that I learn of to the attention of the Court.

Dated at De Pere, Wisconsin this 23 day of November, 2015.



Kelly Van Den Heuvel

Subscribed and sworn to before me this 23 day of November, 2015.



Nancy E. Van Lame
Notary Public, State of Wisconsin

My commission expires: September 21, 2018



SHERIFF'S OFFICE
Brown County

RETURN OF SEARCH WARRANT

By Law Enforcement Officer

Brown County Circuit Court, State of Wisconsin

I hereby certify that, by virtue of the within warrant, the following listed items were found and seized and are now in my possession/custody from the listed location:

ADDRESS/LOCATION:

2303 Lost Dauphin Road, Town of Lawrence, Brown County, Wisconsin

ITEMS SEIZED:

- Apple computer/monitor (office)
- iPad/iPad mini/keyboard/Mac hard drive (office)
- Black briefcase (office)
- Miscellaneous files (office desk)
- Thumb drive (dining room)
- Checkbook/life insurance policy (kitchen)
- Three (3) papers/binders/black notebook/Green Box binders (east sitting room-1st floor)
- Investment book-Merrill Lynch file folder (sitting room end table)
- Business cards/Delta Jet paperwork/miscellaneous files (office desk)
- Miscellaneous file (master bedroom closet)
- Laptop/iPad mini/iPad mini (hall closet)
- iPad mini (living room piano)
- Laptop (upstairs hallway)
- Thumb drive containing photos/video of house

Dated this 6th day of July, 2015.

Sgt. Mary L. Schartner

Sgt. Mary L. Schartner #177 #177

Brown County Sheriff's Office

EXHIBIT

VII

15CV1066

IN RE THE MATTER OF THE RETURN OF THE WRONGFULLY SEIZED PROPERTY OF:

Ty C. Willingham; Ty Will Law, LLC; Savannah Brault;
Jeremy McGown; Evolve MTS, LLC; Michael Garsow; Nancy Van Lanen; and Meng
Qiao.

Petitioners.

SEARCH WARRANTS
On the properties located at 2077
Lawrence Drive, Suites A & B, in
De Pere, Wisconsin issued on
July 2, 2015

NOTICE OF MOTION AND MOTION
TO RETURN PROPERTY
WRONGFULLY SEIZED; AFFIDAVITS
OF PETITIONERS IN SUPPORT
THEREOF

**AFFIDAVIT OF PETITIONER SAVANNAH BRAULT IN SUPPORT OF HER
MOTION FOR RETURN OF WRONGFULLY SEIZED PROPERTY**

State of Wisconsin)
) SS AFFIDAVIT
Brown County)

Petitioner Savannah Brault, being duly sworn states:

1. Affiant is a female citizen of the State of Wisconsin having a residential address of 850 Centennial Centre Boulevard #73, in the Town of Hobart, Wisconsin 54155;
2. Affiant makes this affidavit based on personal knowledge in support of her Motion for the Return of Unlawfully Seized Property;

EXHIBIT
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3. Affiant is an employee of Green Box NA Wisconsin OP, and was present during the execution of the Search Warrant attached hereto and marked as "Exhibit B";
4. Affiant was not named in Exhibit B nor has she ever participated or aided in the commission of any of the alleged criminal activity listed therein, nor does she have any knowledge of the same;
5. On the date of the execution of Exhibit B, Affiant brought onto the premises listed in Exhibit B a MacBook Laptop Computer with a pink cover, and a silver external hard drive with white cord, each described with more particularity in the Notice of Motion and Motion for the Return of Unlawfully Seized Property which personal computer had nothing at all to do with any activity of any of the individuals or entities listed in Exhibit B and which contains nothing of evidentiary value whatsoever;
6. At the time of the execution of Exhibit B, Affiant did notify the officers who executed the warrant that the laptop computer and external hard drive were each personal items that it had no evidentiary value at all;
7. Affiant subsequently witnessed an officer seizing her personal laptop computer and silver external hard drive after she had specifically given him said notification and after the officer had given her an acknowledgement that she had told him that the laptop computer and silver external hard drive were personal items not connected with any of the listed businesses or individuals and that it contained nothing of evidentiary value;
8. Affiant believes her personal laptop computer and silver external hard drive were therefore outside the scope of the search warrant detailed in Exhibit B and that the seizing officers knew that they were outside the scope of the search warrant and

that her personal laptop computer and silver external hard drive were therefore taken in violation of her rights under the Fourth Amendment of the United States Constitution and Article II of the Wisconsin State Constitution, making the taking of the personal laptop computer and silver external hard drive unlawful seizures;

9. Affiant states that her unlawfully seized personal laptop computer and silver external hard drive contained irreplaceable photographs and videos she had accumulated over the years;
10. Affiant further states that although her personal laptop computer and silver external hard drive contain nothing of evidentiary value and were outside the scope of the search warrant, if authorities wish to confirm this at a later date, she is willing to make items available for a drive copy;
11. Affiant therefore prays for the Court to issue an order demanding that authorities return the unlawfully seized personal laptop computer and silver external hard immediately;

FURTHER THE AFFIANT SAYETH NOT

Savannah Brault
Savannah Brault

DATED: 07/20/2015, 2015

Subscribed and Sworn to before me
on this Monday day
of July 20, 2015

Nancy E. VanDane
Nancy VanDane
Notary Public, Brown County, Wisconsin

My commission expires: September 21, 2018

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH _____

BROWN COUNTY

15CV1066

IN RE THE MATTER OF THE RETURN OF THE WRONGFULLY SEIZED PROPERTY OF:

Ty C Willihnganz; Ty Will Law, LLC; Savannah Brault;
Jeremy McGown; Evolve MTS, LLC; Michael Garsow; Nancy Van Lanen; and Meng
Qiao.

Petitioners.

SEARCH WARRANTS :
On the properties located at 2077
Lawrence Drive, Suites A & B, in
De Pere, Wisconsin issued on
July 2, 2015

NOTICE OF MOTION AND MOTION
TO RETURN PROPERTY
WRONGFULLY SEIZED; AFFIDAVITS
OF PETITIONERS IN SUPPORT
THEREOF

**AFFIDAVIT OF PETITIONER MICHAEL GARSOW IN SUPPORT OF HIS
MOTION FOR RETURN OF WRONGFULLY SEIZED PROPERTY**

State of Wisconsin)
)SS AFFIDAVIT
Brown County)

Petitioner Michael Garsow, being duly sworn states:

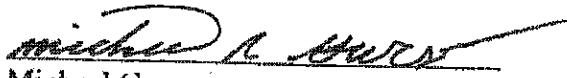
1. Affiant is a male citizen of the United States of America and having a residential address of 2606 Edmund Road, Town of New Franken, State of Wisconsin;
2. Affiant makes this affidavit based on personal knowledge in support of his Motion for the Return of his Wrongfully Seized Property;

3. Affiant is an employee of Green Box NA Wisconsin OP, and was present during the execution of the Search Warrant attached hereto and marked as "Exhibit B";
4. Affiant was not named in Exhibit B nor has she ever participated or aided in the commission of any of the alleged criminal activity listed therein, nor does she have any knowledge of the same;
5. On the date of the execution of Exhibit B, Affiant brought onto the premises listed in Exhibit A a black ASUS personal computer and accessories (referred to as "the Items"), each described with more particularity in the Notice of Motion and Motion for the Return of Unlawfully Seized Property which Items had nothing at all to do with any activity of any of the individuals or entities listed in Exhibit A and which contains nothing of evidentiary value whatsoever;
6. At the time of the execution of Exhibit B, Affiant did notify the officers who executed the warrant that the Items were each personal and outside business items that had no evidentiary value at all;
7. Affiant subsequently witnessed an officer seizing his Items after he had specifically given him said notification and after the officer had given an acknowledgement that he had told him that the Items were personal or outside business items not connected with any of the listed businesses or individuals and that they contained nothing of evidentiary value;
8. Affiant believes his Items were therefore outside the scope of the search warrant detailed in Exhibit B and that the seizing officers knew that they were outside the scope of the search warrant and that his Items were therefore taken in violation of his rights under the Fourth Amendment of the United States Constitution and

Article I of the Wisconsin State Constitution, making the taking of the Items unlawful seizures;

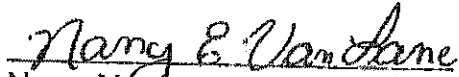
9. Affiant states that he is the managing member of the Wisconsin limited liability company known as WebAura, LLC ("WebAura"), and that he primarily uses the Items to conduct WebAura business, and that the Items contain valuable trade secrets belonging to WebAura, and that the wrongful seizure of the Items has done damage to the WebAura business;
10. Affiant further states that although the Items contain nothing of evidentiary value and were outside the scope of the search warrant, if authorities wish to confirm this at a later date, he is willing to make items available for a brief inspection;
11. Affiant therefore prays for the Court to issue an order demanding that authorities return the unlawfully seized Items immediately;

FURTHER THE AFFIANT SAYS: I DO NOT


Michael Garsow

DATED: July 28, 2015

Subscribed and Sworn to before me
on this Tuesday day
of July 28, 2015


Nancy Van Aane
Notary Public, Brown County, Wisconsin

My commission expires: September 21, 2018

Kscv1066

IN RE THE MATTER OF THE RETURN OF THE WRONGFULLY SEIZED PROPERTY OF:

Ty C Willihnganz; Ty Will Law, LLC; Savannah Brault;
Jeremy McGown; Evolve MTS, LLC; Michael Garsow; Nancy Van Lanen; and Meng
Qiao.

Petitioners.

SEARCH WARRANTS :
On the properties located at 2077
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NOTICE OF MOTION AND MOTION
TO RETURN PROPERTY
WRONGFULLY SEIZED; AFFIDAVITS
OF PETITIONERS IN SUPPORT
THEREOF

**AFFIDAVIT OF PETITIONER NANCY VAN LANEN IN SUPPORT OF HER
MOTION FOR RETURN OF UNLAWFULLY SEIZED PROPERTY**

State of Wisconsin)
) SS AFFIDAVIT
Brown County)

Petitioner Nancy Van Lanen, being duly sworn states:

1. Affiant is a female citizen of the State of Wisconsin having a residential address of
1134 Patrick Henry Avenue, De Pere, WI 54115;
2. Affiant makes this affidavit based on personal knowledge in support of her Motion
for the Return of Property Unlawfully Seized Property;

3. Affiant is an employee of Green Box NA Wisconsin OP, and was present during the execution of the Search Warrant marked attached hereto and marked as "Exhibit B";
4. Affiant was not named in Exhibit B nor has she ever participated in or aided the commission of any of the alleged criminal activity listed therein;
5. Affiant states that prior to the day of the execution of the search warrant she brought onto the premises listed in Exhibit B a Notary Public Log (the "Log") described with particularity in the Notice of Motion and Motion for the Return of Unlawfully Seized Property which Log contained Notary Records involving the signature of documents by persons or individuals and entities other than those listed in Exhibit B and Affiant believes she may be called upon to verify the signatures of these uninvolved individuals in the near future;
6. Affiant did hear officers involved in the execution of the warrant marked Exhibit B state that the items seized "may not be back for six (6) months to a year";
7. Affiant further states that she is concerned that she will be unable to fulfill her duties as Notary Public if such a delay in the return of the Log does in fact materialize;
8. Because of the foregoing, Affiant prays for the Court to order the seizing authorities to make copies of the Log immediately and then return the same to Affiant immediately thereafter.

FURTHER THE AFFIANT SAYETH NOT

Nancy E Van Lanen
Nancy Van Lanen

DATED: July 28, 2015

Subscribed and Sworn to before me

on this Tuesday day
of July 28, 2015

Nancy E. VanDane

Nancy VanDane

Notary Public, Brown County, Wisconsin

My commission expires: September 21, 2018

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH _____

BROWN COUNTY

KCV 10616

STATE OF WISCONSIN

Plaintiff,

Search Warrant # _____
NOTICE OF MOTION AND MOTION
TO RETURN PROPERTY ILLEGALLY
SEIZED; AFFIDAVITS
OF DEFENDANTS IN SUPPORT
THEREOF

v.

Ty C Willhnganz, Ty Will Law, LLC; Savannah Brault,
Jeremy McOwn Evolve MTS, LLC; Michael Garsow; Nancy Van Lanen; and Meng Qiao
2077 Lawrence Drive
De Pere, WI 54115

Defendants.

**AFFIDAVIT OF ATTORNEY TY C WILLIHNGANZ IN SUPPORT OF HIS
MOTION FOR THE RETURN OF HIS UNLAWFULLY SEIZED PROPERTY**

State of Wisconsin)
) SS AFFIDAVIT
Brown County)

Ty Willhnganz, being duly sworn states:

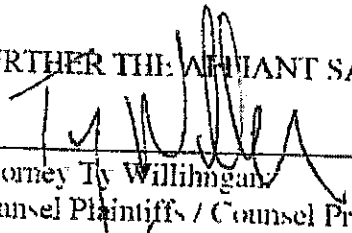
1. Affiant is an attorney licensed by the State of Wisconsin, having Bar Identification number 1026693;
2. Affiant makes this affidavit based upon personal knowledge and in support of his Motion for the Return of Unlawfully Seized Property
3. That Affiant leases an office space at 2107 American Boulevard and 2077 Lawrence Drive Suite B, and operates an independent law office at each location;

4. That Affiant has represented Ronald Van Den Heuvel and his affiliated companies, including Green Box NA Green Bay, LLC in the past, and provides "on demand" legal document drafting services for the same from time to time;
5. That Affiant has never been in-house counsel, general counsel, employee, partner, joint venture, or affiliate of any kind for Green Box NA Green Bay, LLC or any Ronald Van Den Heuvel affiliated companies, and specifically refused any such position or designation at great monetary sacrifice to himself because he specifically wished to protect his independent legal practice from any direct association with Green Box NA Green Bay or any Ronald Van Den Heuvel affiliated company;
6. That Affiant has several other legal clients whom he services out of his independent 2077 Lawrence Drive Suite B law offices;
7. That Affiant services said clients on an on-going basis and whose files and work product existed on Affiant's computer and in paper form throughout his Green Box NA Green Bay, LLC office;
8. That at least one other independent company operates along with affiant out of the "Suite B" side of the Green Box NA Green Bay corporate offices at 2077 Lawrence Drive;
9. That Affiant specifically chose to locate his leased office on the Suite B side of the Green Box NA Green Bay, LLC corporate offices because it does not contain the crux of Green Box NA Green Bay LLC operations, and because it does contain other independent companies, so as to maintain a level of detachment from the Green Box NA Green Bay operations;

10. That on July 2, 2015 the attached search warrant was served upon the affiliated companies of Ronald Henry Van Den Heuvel located at 2077 Lawrence Drive Suite B seeking evidence of embezzlement in violation of Section 943.20(1)(d) of the Wisconsin Statutes and a general claim of "Securities Fraud" under Chapter 551 of the Wisconsin Statutes;
11. That neither Affiant nor his law practice nor his umbrella company "Ty Will Law, LLC" was named in the attached search warrant;
12. That Affiant has never been involved with any financial aspect of Green Box NA Green Bay or its affiliated companies nor has he ever been involved in any aspect of the sale or negotiation of securities on behalf of said companies, other than the drafting of documents that may involve a pledge or issuance of securities as part of a broader subject matter, and then only upon terms prescribed to him after the sale or negotiation of the securities has been performed by others;
13. That Affiant has never assisted any Ronald Van Den Heuvel affiliated company in the commission of any crime, and no credible and reliable individual could state otherwise;
14. That nevertheless Affiant had his laptop computer seized (despite the fact that it was clearly marked "Property of Ty Will Law, LLC") and Affiant had his smart phone seized despite the fact that he told the raiding officers REPEATEDLY that it contained sensitive lawyer client information;
15. That Affiant had all of his non-Green Box NA Green Bay files seized, costing him nearly a quarter of his existing clients, who now refuse to do business with him as a result of the seizures;

16. That Affiant specifically took steps to keep his computer files separate from the Green Box NA Green Bay files to protect against any such commingling in the event of a search and seizure;
17. That Affiant paid for his phone himself and paid for his computer himself and pays for the upkeep and service charges on them himself so as not to commingle or otherwise confuse it with Green Box NA Green Bay affiliated property;
18. That the seizures executed at 2077 Lawrence Drive in De Pere, Wisconsin did far more damage to Affiant and his legitimate law practice than it did to Green Box NA Green Bay, LLC and its affiliated businesses;
19. That at least three other law firms have billed in excess of ten times the amount of legal work billed by Affiant to the Ron Van Den Heuvel companies during the time period covered by the search warrant, but Affiant is unaware that those law firms suffered the same indignities he has had to suffer as a result of the execution of the attached search warrant, nor were their files either searched or seized;
20. That Affiant has no objection to the law enforcement officials "cloning" his phone or "copying the hard drive" on his computer in their search for the non-existent evidence they seek on those machines, a far less invasive procedure than they the officers
21. That Affiant prays that this Court restore the dignity of attorney-client privilege and find that the generalized non-discriminatory search conducted by the law officers under the attached search warrant and order the immediate return of his non-Green Box NA Green Bay legal files; his ASUS computer, and his ZBT smart phone.


FURTHER THE AFFIDAVIT SAYETH NOT



Attorney Ty Willingham
Counsel Plaintiffs / Counsel Pro Se

DATED: July 20, 2015

Subscribed and Sworn to before me
on this Monday day
of July 20, 2015



Nancy VanLanen
Notary Public, Brown County, Wisconsin

My commission expires: September 21, 2018

15CV1066

IN RE THE MATTER OF THE RETURN OF THE WRONGFULLY SEIZED PROPERTY OF:

Ty C Willihnganz, Ty Will Law, LLC; Savannah Brault,
Jeremy McOwn Evolve MTS, LLC; and Michael Garsow, Nancy Van Lanen, and Meng
Qiao.

Petitioners.

SEARCH WARRANTS:
On the properties located at 2077
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OF PETITIONERS IN SUPPORT
THEREOF

**AFFIDAVIT OF PETITIONER JEREMY MCGOWN IN SUPPORT OF
PETITIONERS' MOTION FOR RETURN OF UNLAWFULLY SEIZED
PROPERTY**

State of Wisconsin)
) SS AFFIDAVIT
Brown County)

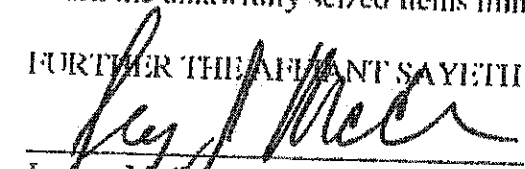
Petitioner Jeremy McOwn, being duly sworn states:

1. Affiant is a male citizen of the State of Wisconsin having a residential address of
1064 Camden Court, Town of Suamico, State of Wisconsin 54173;
2. Affiant makes this affidavit based on personal knowledge in support of his and
Evolve MTS, LLC's Motion for the Return of Wrongfully Seized Property;

3. Affiant is not an employee of Green Box NA Wisconsin OP or of any of the companies or entities named in the Search Warrant attached hereto and marked as "Exhibit A" and was not on the premises listed therein during the date and time of the warrant's execution;
4. Affiant is the managing member of the Wisconsin limited liability company Evolve MTS, LLC ("Evolve MTS") having a business office on the premises described in Exhibit A, which business is wholly separate from any entity owned or controlled by Ronald Van Den Heuvel;
5. Affiant was not named in Exhibit A nor was Evolve MTS, nor has he or it ever participated or aided in the commission of any of the alleged criminal activity listed therein, nor does she have any knowledge of the same;
6. Prior to the date listed in the date of the execution of Exhibit A, Affiant brought onto his the premises listed in Exhibit A and stored in the business offices of Evolve MTS thereon, hard drives, laptop computers, personal computers, and external storage drives (collectively referred to as "the Items"), each described with more particularity in the Notice of Motion and Motion for the Return of Unlawfully Seized Property which Items had nothing at all to do with any activity of any of the individuals or entities listed in Exhibit A and which contains nothing of evidentiary value whatsoever;
7. Upon information and belief, at the time of the execution of Exhibit A, persons present on the premises did notify the officers who executed the warrant that the Items were each business instruments used in the conduct of the business of Evolve MTS and that they had no evidentiary value at all;

8. Upon information and belief, the Items were seized by the executing officers after they had been specifically given the notification set forth in Paragraph 7 above and after the seizing officers had given an acknowledgement that the Items were business items used by Evolve MTS in the conduct of its business and not connected with any of the listed businesses or individuals in Exhibit A and contained nothing of evidentiary value;
9. Affiant believes the Items were therefore outside the scope of the search warrant detailed in Exhibit A and that the seizing officers knew that they were outside the scope of the search warrant and that the Items were therefore taken in violation of the rights of Affiant and Evolve MTS under the Fourth Amendment of the United States Constitution and Article 11 of the Wisconsin State Constitution, making the taking of the Items unlawful seizures;
10. Affiant states that the unlawfully seized items were vital instruments in the conduct of the business of Evolve MTS and that their seizure does continue to cause disruption and damage to the conduct and profitability of said business;
11. Affiant further states that although the Items contain nothing of evidentiary value and were outside the scope of the search warrant, if authorities wish to confirm this at a later date, he is willing to make items available for a brief inspection;
12. Affiant therefore prays for the Court to issue an order demanding that authorities return the unlawfully seized Items immediately;

FURTHER THE AFFIANT SAYS YETI NOT



 Jeremy McGowan

DATE: 7/28, 2015

Subscribed and Sworn to before me

on this Tuesday day
of July 28, 2015

Nancy E Van Lanen

Nancy Van Lanen

Notary Public, Brown County, Wisconsin

My commission expires September 21, 2018