

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. 16 CR 00064-WCG-DEJ
v.)	
)	Honorable William Griesbach
RON VAN DEN HEUVEL and)	Magistrate Judge David E. Jones
KELLY VAN DEN HEUVEL,)	
)	
Defendants.)	

DEFENDANT KELLY VAN DEN HEUVEL’S MOTION FOR DISCOVERY

Now comes Defendant, KELLY VAN DEN HEUVEL, by and through her attorneys, pursuant to Rule 6(e) and Rule 16(a)(3) of the Federal Rules of Criminal Procedure, and hereby moves this Honorable Court for an Order requiring the Government to produce all materials presented to the Grand Jury which returned the present indictment against Ms. Van Den Heuvel in the above-captioned case related to the \$250,000 loan to KYHKJG, LLC from Horicon Bank entered into on or around November 7, 2008 – including testimony, documents, and / or argument.. In support thereof Defendant states:

1. The Grand Jury material sought is narrowly tailored and related to the government’s theory of fraud with respect to one \$250,000 loan.
2. The material is necessary for Ms. Van Den Heuvel and her counsel to prepare for trial.
3. Disclosure of the material at this time will avoid the confusion, interruption, and delay that may result if disclosure is not permitted until the time of trial.

4. The need for continued secrecy of such materials is reduced since the investigation is completed and the grand jury is discharged and the Court can limit the disclosure of the materials sought pursuant to Rule 6(e)(3)(E)(i).

For these reasons, and those articulated in Ms. Van Den Heuvel's memorandum in support of her Motion for Discovery, Defendant, KELLY VAN DEN HEUVEL, requests that this Court grant her motion and order disclosure of all Grand Jury materials – including testimony, documents, and argument – related to the \$250,000 loan.

Respectfully submitted,

/s/ Andrew Porter

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that in accordance with Fed. R. Crim. P. 49, Fed. R. Civ. P. 5 and the General Order on Electronic Case Filing (ECF), the following document:

DEFENDANT KELLY VAN DEN HEUVEL'S MOTION FOR DISCOVERY

was served pursuant to the district court's ECF system.

_____/s/ Carrie E. DeLange

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