

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.

RENEWED MOTION TO ADJOURN SENTENCING

COMES NOW the above named defendant, Ronald Van Den Heuvel, through Attorney Robert LeBell, and moves the court to adjourn the sentencing in this matter. This constitutes a renewal of the motion previously filed, which was denied on December 28, 2017.

AS GROUNDS THEREFORE the defendant states the following:

The defendant requests additional time to review documents to determine how they impact on a potential defense to the charge for which he has plead guilty and the substantive Horicon Bank counts. The defendant maintains that within the last three to four weeks, he has made inquiries of various lawyers who represented him in civil litigation matters, which in part relate to Horicon Bank activities and his involvement with that institution and its loans.

In particular, the defendant maintains that he has secured from the lawyers, approximately 38 bankers boxes and six CD and/or thumb drives which contain materials generated during their representation. He has secured this information from the following

counsel: The law firm of Arnsteen and Lehr; John Petitjean; Warren Wanezek; David Newman; and Don Swenson.

A preliminary review of the documents has revealed evidence that a civil litigant (Tak) assigned a multimillion dollar note to Horicon Bank and that such assignment fully collateralized all of the Horicon loans which are the subject of the indictment. Furthermore, he maintains that the documents support the position that bank officials were aware of this collateralization and approved of same. The preliminary review also has uncovered corporate records of the defendant's corporations which he believes supports these assertions. The lawyers noted above represented the defendant, EARTH (one of the defendant's corporations), or Green Box (another one of the defendant's corporations). In the course of the civil litigations and associated representation, documents were created which it is believed would demonstrate that he did not cause others to act as a "straw borrower" and that the loans were made with the full approbation of banking officials, and not just co-defendant Paul Piikkila.

The defendant has also sought to withdraw his plea, in part, so as to permit a review of the materials described herein. The review is a laborious process and requires them to be manually sorted. It requires a significant expenditure of his own time. The defendant believes that he can complete the review necessary in

this case within 120 days, at which time, the status would be reported to the court.

Therefore, it is respectfully requested that the court grant the defendant's renewed motion to adjourn the sentencing in this matter for 120 days.

Dated at Milwaukee, Wisconsin this 3rd day of January, 2018.

Respectfully submitted,

/s/ Robert G. LeBell

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