

STATE OF WISCONSIN

CIRCUIT COURT  
Branch 2

JEFFERSON COUNTY  
CLERK OF THE CIRCUIT COURT  
JEFFERSON COUNTY, WISCONSIN  
**FILED**

DAVID J. WOLF,

**FEB 19 2013**

Plaintiff,

v.

\_\_\_\_ O'CLOCK \_\_\_\_ M.  
CARLA J. ROBINSON, Clerk

Case No. 12-CV-906

ARLAND CLEAN FUELS, LLC,

Defendant.

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**AFFIDAVIT IN SUPPORT OF MOTION FOR DEFAULT JUDGMENT**

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STATE OF WISCONSIN     )  
                                      ) ss.  
COUNTY OF DANE         )

Travis James West, being first duly sworn, on oath, deposes and states:

1. I am an attorney duly licensed to practice law in the State of Wisconsin.
2. I am one of the attorneys representing Plaintiff David J. Wolf in the above-captioned action, and I make this Affidavit in support of Plaintiff's Motion for Default Judgment against Defendant Arland Clean Fuels, LLC of even date herewith.
3. On December 12, 2012, Plaintiff filed his Summons and Complaint against Defendant seeking a money judgment and declaratory judgment.
4. Plaintiff caused an authenticated copy of the Summons and Complaint to be served upon Defendant on December 24, 2012, by leaving a true and correct copy of the Summons and Complaint with Michael Bertogli, a person authorized to accept service on behalf of Defendant. *See* Affidavit of Service filed with the Court on January 9, 2013.
5. Pursuant to Wis. Stat. §§ 801.09 and 802.06, Defendant was required to file an answer or other responsive pleading to the Complaint on or before January 14, 2013. By agreement of the parties, Defendant'

6. No issue of law or fact has been joined as Defendant has not served any answer or other responsive pleading to the Complaint on Plaintiff or Plaintiff's attorney. Accordingly, Defendant is in default.

7. Grounds for personal jurisdiction over Defendant are shown in the Complaint.

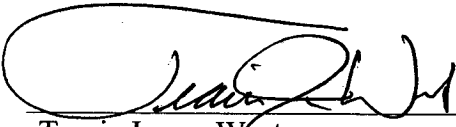
8. As established in the Complaint and exhibit thereto, Plaintiff is entitled to damages in the amount of \$250,000.00, plus interest as of the date hereof in the amount of \$7,430.08. Interest will continue to accrue through the date of entry of judgment at the per diem rate of \$68.49, and thereafter at the judgment rate.

9. Pursuant to Wis. Stats. § 814.04, Plaintiff is entitled to recover statutory attorneys' fees in the amount of \$250.00 from Defendant.

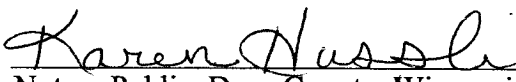
10. Plaintiff is also entitled to recover costs from Defendant pursuant to Wis. Stats. § 814.04, and Plaintiff has incurred costs in this matter in the amount of \$349.90, itemized as follows:

Filing fee	\$265.50
Fee for service	\$59.00
Photocopies	\$14.20
Postage	\$5.20
Facsimile charges	\$6.00
Total	\$ 349.90

Dated this 15th day of February, 2013.

  
Travis James West

Subscribed and sworn to before me this  
15th day of February 2013.

  
Notary Public, Dane County, Wisconsin.  
My Commission: expires 08/03/14.

