

ABILITY INSURANCE COMPANY
DR. MARCO ARAUJO
CLIFFTON EQUITIES, INC., and
WISCONSIN ECONOMIC DEVELOPMENT CORPORATION

Plaintiffs,

v.

Case No. 15-CV-769

GREEN BOX NA GREEN BAY, LLC,

Defendant.

**ORDER OF CONTEMPT AND WRIT OF BODILY
ATTACHMENT RELATED TO RECEIVER'S MOTION**

Upon a hearing in the above matter coming on to be heard on February 22, 2016, and appearances of the parties being noted on the record, and in consideration of all pleadings filed and arguments presented; and

WHEREAS, on June 2, 2015 (the "Appointment Date"), the Court entered an Order Appointing Receiver, Enjoining Creditors from Proceedings Against Green Box NA Green Bay, LLC and Granting Other Relief (the "Receiver Order"), which appointed Michael S. Polsky, Esq., as Receiver (the "Receiver") of Green Box NA Green Bay, LLC ("Green Box") pursuant to Chapter 128 of the Wisconsin Statutes;

WHEREAS, this Court has authority and jurisdiction to make any and all orders and judgments necessary related to the above-captioned proceedings pursuant to Wis. Stats. § 128.01;

WHEREAS, Wis. Stats. § 128.11 authorizes this Court to make appropriate provisional remedies in this matter;

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WHEREAS, this Court has further authority to compel Green Box and its managers to provide discoverable information and materials to the Receiver, pursuant to Wis. Stats. § 128.16(1);

WHEREAS, pursuant to Wis. Stats. § 128.13 and Paragraph 6 of the Receiver Order, Green Box was required to file a verified list of its assets and liabilities and turn over all of its books and records to the Receiver within ten (10) days of the Appointment Date;

WHEREAS, pursuant to Paragraph 4 of the Receiver Order, Green Box, its members, agents, partners, officers and employees were enjoined and restrained from transferring, encumbering or otherwise disposing of any assets of Green Box;

WHEREAS, on November 2, 2015, the Receiver filed his Motion for Contempt and Sanctions and for Authority to Enter into Stipulation (the "Receiver's Contempt Motion"); it is

ORDERED and ADJUDGED that:

1. The Defendant, Green Box, and its managing member, Ronald H. Van Den Heuvel, are in civil contempt of this Court for violating Wis. Stats. § 128.13 and Paragraph 6 of the Receiver Order by failing to file an accurate verified list of its assets and liabilities and failing to turn over all of its books and records to the Receiver within ten (10) days of the Appointment Date, and for violating Paragraph 4 of the Receiver Order by transferring, encumbering and otherwise disposing of the assets of receivership estate of Green Box; and

2. Ronald H. Van Den Heuvel may purge the contempt as against the Receiver by, within thirty (30) days from February 22, 2016, the effective date of this Order, by appearing at an adjourned deposition at the direction of the Receiver and/or his designee and testifying truthfully regarding the assets of Green Box pursuant to Wis. Stats. 128.16, including providing

the names and address of others that may possess information regarding the assets of Green Box;
and

3. In the event Ronald H. Van Den Heuvel complies with the provisions of Paragraph 2 of this Order, he shall be granted immunity for such testimony pursuant to Wis. Stats. 128.16;

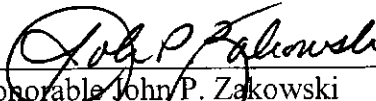
4. All rents received by Green Box, or its affiliate, Green Box NA, LLC, for the real property located at 821 Parkview Road, Ashwaubenon, Wisconsin (the "Parkview Real Estate"), since the Appointment Date shall be disgorged to the Receiver, and any and all tenants or subtenants of Green Box or Green Box NA, LLC shall pay future rents for the Parkview Real Estate directly to the Receiver;

5. The Receiver is hereby authorized to enter into a Stipulation with Little Rapids Corporation granting relief from the Receiver Order and permitting Little Rapids Corporation to proceed with terminating the Sublease for the Parkview Real Estate;

6. **Upon failure by Green Box and Ronald H. Van Den Heuvel to comply with the terms of paragraph 2, the Receiver may file with the Court an Affidavit of Noncompliance and providing notice of same to the Defendant Green Box and Ronald H. Van Den Heuvel by email to Ronald H. Van Den Heuvel, and by copying all parties to this action. Upon the filing of an Affidavit of Noncompliance, the Court shall issue an Order of Contempt and Writ of Bodily Attachment to the Brown County Sherriff's Office and upon receipt of the Order of Contempt and Writ of Bodily Attachment, the Brown County Sheriff's Office or any other law enforcement agency able to locate Ronald H. Van Den Heuvel shall immediately take Ronald H. Van Den Heuvel into custody; and Ronald H.**

Van Den Heuvel shall be brought before the Court within 24 hours of being taken into custody to address said failure to comply with this Order.

7. DONE AND ORDERED in Green Bay, Brown County, Wisconsin, on this 18 day of March, 2016.



Honorable John P. Zakowski
Circuit Court Judge, Branch 6