

**UNITED STATES COURT OF APPEALS  
FOR THE SEVENTH CIRCUIT  
CHICAGO, ILLINOIS 60604**

TISSUE TECHNOLOGY, LLC, et al.,	]	Appeal from the United States District Court for
	]	the Eastern District of Wisconsin
Plaintiffs-Appellants,	]	
	]	
No. 18-1835	v.	
	]	
TAK INVESTMENTS, LLC, et al.	]	No. 1:14-cv-01203-WCG
	]	
Defendants-Appellees.	]	William C. Griesbach,
	]	Chief Judge

**DOCKETING STATEMENT**

**I. JURISDICTION OF THE DISTRICT COURT**

The district court had jurisdiction as a civil action arising under the laws of the United States pursuant to 28 U.S.C. §1332. Jurisdiction is premised upon diversity of citizenship of the parties, to wit: Plaintiffs Tissue Technology, LLC, Partners Concepts Development, Inc., Oconto Falls Tissue, Inc and Tissue Products Technology Corp., are all Wisconsin business entities.

Tissue Technology LLC is a Wisconsin limited liability company and a citizen of the State of Wisconsin, with its principal place of business in Wisconsin and which, at the time of filing of this lawsuit, had as its members Ronald Van Den Heuvel, Kelly Van Den Heuvel, and Daniel Platowski who are all citizens of the State of Wisconsin. A fourth member was Paul Damm, a citizen of the State of Illinois. During the pendency of this litigation, Daniel Platowski and Paul Damm forfeited their membership interests. The limited liability company was recently restructured<sup>1</sup>. The members are currently as follows:

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<sup>1</sup> Ronald Van Den Heuvel was recently convicted and sentenced on one count of Conspiracy to Commit Fraud contrary to 18 USC 371, 1344 and 1014, in the Federal Court for the Eastern District of Wisconsin, *USA vs Van Den Heuvel*, Case # 16-CR-64, and by which he is precluded from holding a fiduciary position which thereby mandated some restructuring.

1. Green Earth America LLC, a Wisconsin limited liability company a citizen of the State of Wisconsin with its primary place of business in the State of Wisconsin. The members of Green Earth America LLC are Bernard E. Dahlin, Bernard A. Dahlin and Brian Dahlin, all citizens of the State of Wisconsin.
2. True Sustainability Trustco LLP is a limited liability partnership and a citizen of the State of Wisconsin. Its principal place of business is in the State of Wisconsin. The partners of True Sustainability Trustco LLP, are:
  - a. KYHK, LLC, a citizen of the State of Wisconsin with its primary place of business in the State of Wisconsin. The members of KYHK, LLC are Ronald Van Den Heuvel, Kelly Van Den Heuvel, Henry Van Den Heuvel and Kate Van Den Heuvel all citizens of the State of Wisconsin.
  - b. RVDH Dvlpmnt LLC, a citizen of the State of Wisconsin with its primary place of business in the State of Wisconsin. The members of RVDH Dvlpmnt, LLC are Ronald Van Den Heuvel and Kelly Van Den Heuvel, who are both citizens of the State of Wisconsin.
  - c. The YK Irrevocable Trust Dated November 1, 2010, which is a citizen of the State of Wisconsin and has its principal place of business in the State of Wisconsin. The Trustee of this trust is Kelly Van Den Heuvel who is a citizen of the State of Wisconsin.
  - d. The RVDH Family Irrevocable Trust Dates October 1, 2010, a citizen of the State of Wisconsin with its primary place of business in the

State of Wisconsin. The Trustee of this Trust is Kelly Van Den Heuvel who is a citizen of the State of Wisconsin.

- e. The Ron VDH Irrevocable Trust Dated September 18, 2003, a citizen of the State of Wisconsin with its primary place of business in the State of Wisconsin. The sole Trustee of this trust is Kelly Van Den Heuvel, a citizen of the State of Wisconsin.
3. KYHKJG LLC, a Wisconsin limited liability company and a citizen of the State of Wisconsin with its primary place of business in the state of Wisconsin and whose members are Ronald Van Den Heuvel, Kelly Van Den Heuvel, Henry Van Den Heuvel, Kate Van Den Heuvel and Ron Van Den Heuvel all citizens of the State of Wisconsin.
4. HHKRK, LLC LLC, a Wisconsin limited liability company and a citizen of the State of Wisconsin with its primary place of business in Wisconsin and whose members are Kelly Van Den Heuvel, Henry Van Den Heuvel, Kate Van Den Heuvel, Hayden Van Den Heuvel and Ron Van Den Heuvel all citizens of the State of Wisconsin.

Defendant Tak Investments LLC is a Delaware limited liability company and a citizen of Delaware with its principal place of business in the State of Maryland. Defendant Sharad Tak is a Florida citizen, however, he has been dismissed from the lawsuit and this appeal does not concern him—only Tak Investments LLC. The members of Tak Investments, LLC are Sharad Tak, a citizen of the State of Florida and Mahinder Tak, a citizen of the State of Maryland.

This lawsuit involves four promissory notes with the principal amounts of \$4,000,000.00; \$3,000,000.00; 4,000,000.00; and \$5,000,000.00, along with interest which were issued following the sale of a paper mill located in Oconto Falls, Wisconsin. There is also an associated "Final Business Terms Agreement" that was executed contemporaneously. The amount in controversy exceeds \$75,000.00.

### **JURISDICTION OF THE COURT OF APPEALS**

This appeal is taken from the final decision of the U. S. District Court for the Eastern District of Wisconsin entered on the 19<sup>th</sup> day of March 2018, as modified by the Order of April 17, 2018, and the decision and order of the District Court for the Eastern District of Wisconsin entered on the 2<sup>nd</sup> day of December 2016, by the Honorable William C. Griesbach, Chief Judge, following a trial to the Court on the merits. The United States Court of Appeals has jurisdiction to decide this case pursuant to 28 U.S.C. §1291.

### **II. APPEAL FROM A FINAL JUDGMENT**

This appeal is from a final judgment of the District Court entered on March 19, 2018 as modified following a Rule 54 motion on April 17, 2018. Therefore, the appeal is taken as a matter of right pursuant to Rule 3(a) of the Federal Rules of Appellate Procedure.

The Notice of Appeal was filed with the District Court on the 18<sup>th</sup> day of April, 2018.

Dated at Milwaukee, Wisconsin this 29<sup>th</sup> day of May, 2018.

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& GANZER, LTD.  
ATTORNEYS FOR PLAINTIFFS,

BY: /s/ MICHAEL J. GANZER

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