

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

v.

BOND REVIEW HEARING

RONALD H. VAN DEN HEUVEL

Case No. 17-CR-160 and 16-CR-64

HONORABLE WILLIAM C. GRIESBACH presiding
Proceeding Held: July 6, 2018
Deputy Clerk: Lori

Time Called: 10:05 am
Time Concluded: 12:13 pm
Tape: 070618

Appearances:

UNITED STATES OF AMERICA by: Matthew Krueger
Special Agent Ryan Austin, FBI
Special Agent Sarah Hagar, FDIC

RONALD H. VAN DEN HEUVEL, in person and by: Robert LeBell

US PROBATION OFFICE by: Brian Koehler

INTERPRETER: None ☐ Interpreter Sworn

Hearing begins as to [48] Motion for Revocation or Modification of Release Order filed by the government. (17-CR-160) and [234] Motion in Case No. 16-CR-64. The Court summarizes case history, conditions of release and stay of imposed sentence. Mr. LeBell opposes the government's motion.

10:09 am Mr. Krueger calls **Special Agent Ryan Austin**. "Timothy" Ryan Austin, FBI, witness sworn and testifies under direct.
Mr. Krueger offers Exhibits A Statement Oneida Golf and Country Club from September 2017, Exhibit B-Receipt of Payment from Oneida Golf & Country Club May 2018 Account 483, Exhibit C-Statement Oneida Country Club 5/2018 Account 483, Exhibit D-1-Forwarded Email from Ms. Johnson and 2-Receipt forwarded by Ms. Johnson.

10:23 am: Objection by Mr. LeBell, relevance to specific time period. Objection is over ruled.
Objection by Mr. LeBell, relevance (time period), Mr. Krueger responds as to pattern. Objection is over ruled.

10:27 am: Exhibit I- Manila envelope containing records/deposit tickets/statements (Tissue Technology) Wells Fargo Bank, photos ATM withdrawals offered.

10:34 am Mr. LeBell has no cross examination. Witness excused.
Mr. Krueger calls **Special Agent Sarah Hagar, FDIC**, witness sworn and testifies under direct. Testimony refers to Alex Knapp and Mason Kashat.

10:36 am Objection by Mr. LeBell, relevance, Mr. Krueger responds as to probable cause.
Court addresses condition that was added as to disclosures required for doing business and clarifies there was no finding made as to engagement in criminal conduct, and objection is over ruled.

10:40 am: Exhibit G- Promissory Note \$20,000—Mr. Krueger moves to admit Exhibits A, B,C,D,I and G. No objections. **Exhibits A, B, C,D, I and G are admitted.**

10:46 am: Mr. Krueger refers to Exhibit I Wells Fargo Bank Statement
Exhibit H offered - Receipt of Payment from Oneida Golf & Country Club December 2017. Counsel moves to admit Exhibits H and I, no objections. **ADMITTED.**

10:55 am: Cross examination by Atty LeBell

10:57 am: Re-direct by Atty Krueger.
Re-Cross by Atty LeBell
Witness Excused.
The Court requests clarification as to **Exhibit I**, Mr. Krueger responds. All documents referenced as Exhibit I will be included in original manila file admitted- no objections. **Exhibit I admitted** as such.

10:59 am: Mr. LeBell informs the Court that Mr. Van Den Heuvel wishes to present explanation as to government's allegations via narrative. The Court instructs counsel to question defendant. **Ronald H. Van Den Heuvel**, sworn and testifies under direct examination by Mr. LeBell.

11:04 am: Mr. Krueger objects. Objection Sustained. The Court instructs defendant.
Mr. LeBell continues with direct examination as to Oneida Golf & Country Club.
Mr. LeBell direct examination as to van.
Mr. LeBell direct examination as to Wells Fargo accounts.

11:15 am: Mr. Krueger objects, relevance.
Mr. Krueger objects, relevance.
The Court inquires as to 1700 pages. Mr. Krueger responds.
The Court advises defendant what is at issue today regarding 1) violations of conditions of release or evidence of further crimes.
Mr. LeBell continues direct examination.

11:22 am: Reporting of transactions addressed.
The Court interjects, the record shall reflect that "Brian" is Mr. Koehler, the Pretrial Services Officer that is assigned to Mr. Van Den Heuvel.
Defendant instructed to refer to his attorney as "Mr. LeBell".
Counsel refers to Mr. Gline, Mr. Dollen,
Cross examination by Mr. Krueger.

11:40 am: Objection by Mr. LeBell as to reference to Clifton Equities, objection over ruled.

11:45 am: Objection by Mr. LeBell, leading and essential testimony. Court overrules objection.
Witness is excused.

11:47 am: Mr. Krueger argues in support of detention of defendant as to violations of conditions of release and evidence of crimes committed.

11:57 am: Mr. LeBell argues in support of continued release with conditions.

12:05 pm: Mr. Krueger responds and requests defendant be detained and begin serving his sentence in 16-CR-64.

The Court **REVOKES** the conditions of release (17-CR-160) and **LIFTS** the stay of the imposed sentence (16-CR-64). The Court is satisfied that fraud has continued and the defendant has shown disregard for the orders of this Court. The Court finds the temptation to flee or take steps to avoid responsibility of facing trial is strong. The Defendant is remanded to the custody of the U.S. Marshals at this time.

Mr. Krueger and Mr. LeBell address rescheduling the 8/2/18 and 8/3/18 Evidentiary Hearing and request to extend the upcoming motions deadline. The Court approves rescheduling as long as the FPT and JT dates are preserved. Counsel are to confer as to dates and reschedule with the Clerk.

12:13 pm: Adjourned.