

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

**UNITED STATES OF AMERICA**

v.

**SENTENCING MINUTES**

**RONALD H. VAN DEN HEUVEL**

Case No. 17-CR-160

HONORABLE WILLIAM C. GRIESBACH presiding  
Proceeding Held: January 23, 2019  
Deputy Clerk: Lori

Time Called: 1:02 pm  
Time Concluded: 3:58 pm  
Tape: 012319

**Appearances:**

UNITED STATES OF AMERICA by:	Matthew Krueger, Adam H. Ptashkin and BeLinda Mathie,
RONALD H. VAN DEN HEUVEL, in person and by:	Robert LeBell
US PROBATION OFFICE by:	Brian Koehler
INTERPRETER: None	<input type="checkbox"/> Interpreter Sworn

- |   |  |
|---|--|
| <input type="checkbox"/> The parties have no objections to the factual statements in the PSR  | <input type="checkbox"/> The parties have no objections to the application of the guidelines in the PSR  |
| <input checked="" type="checkbox"/> Objections/corrections to factual statements in PSR<br>by <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant<br>As to viability of the plan | <input checked="" type="checkbox"/> Objections/corrections to application of guidelines<br>by <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant<br>As to request for 4 level enhancement as to role<br>The Court overrules the objection, finds the 4 level<br>enhancement applies. |
| <input checked="" type="checkbox"/> The court adopts the factual statements and guideline application as set forth in the PSR   | <input type="checkbox"/> The court adopts the factual statements and guideline application with these changes:   |

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> The government presents sentencing argument: 90 months to run concurrent with 16-CR-64 sentence | <input checked="" type="checkbox"/> The defendant presents sentencing argument: 5 year concurrent sentence and requests placement at Oxford Camp. |
| <input checked="" type="checkbox"/> Defendant exercises right of allocution.  | <input checked="" type="checkbox"/> The court imposes sentence.   |
| <input checked="" type="checkbox"/> The government dismisses all remaining counts.  | <input checked="" type="checkbox"/> Defendant advised of appeal rights.   |

Defense Character Statements given by: Douglas A. Barone, John Richard Barrow, and Ronnie Van Den Heuvel.  
Victim Impact Statement: Dr. Marco Araujo.

Mr. Krueger sets forth sentencing argument.

1:43 pm      Mr. LeBell objects to government referencing Kocken as victim. Mr. Krueger responds. Overruled.  
Mr. LeBell wants the record to reflect a standing objection rather than continuing to object. The Court notes the standing objection.

1:53 pm	The Court inquires as to the EB-5 program. Mr. Krueger responds.
2:09 pm	Court recesses.
2:22 pm	Court resumes.
	Mr. LeBell sets forth sentencing argument.
2:28 pm	Mr. Krueger objects.
2:54 pm	Objection overruled as to government's argument as to viability, not a violation of plea agreement.
2:55 pm	Mr. Krueger sets forth the government is recommending sentence in accordance with plea agreement. The Court inquires as to why government is asking for under guideline sentence.
	Mr. Krueger responds.

**SENTENCE IMPOSED:**

**Imprisonment:** 90 Months as to Count(s) 1 of the indictment  
           Months as to Count(s)            of the           

Imprisonment term for each count to be served ☐ concurrently ☐ consecutively.

TOTAL TERM OF IMPRISONMENT IMPOSED: 90 months.

☒ This term of imprisonment is to be served (☒ concurrently with or ☐ consecutively to) any state court sentence the defendant is currently serving.

**Probation:**            Years as to Count(s)            of the           

**Supervised Release:** 3 Years as to Count(s) 1 of the indictment  
           Years as to Count(s)            of the           

**MONETARY PENALTIES**

**Special Assessment:** \$ 100.00 due immediately

**Fine:** \$            ☒ fine waived

**Restitution:** \$ 9,428,618.81 ☐ determination deferred

**JOINT AND SEVERAL PAYMENTS**

☐ Fine and/or ☐ Restitution is **joint and several** with           .

☐ Repayment of Buy Money is **joint and several** with           .

**FORFEITURE**

☐ All property forfeited upon conviction or by order of the court shall be included in the criminal judgment.

**RECOMMENDATIONS**

☒ The court recommends the defendant's placement at Oxford Camp in Wisconsin.

☐ The court recommends the defendant's participation in the Bureau of Prisons' 500-hour drug treatment program.

☐ Other:           .

**CUSTODY**

☒ The defendant is remanded to the custody of the U.S. Marshal Service.

☐ The defendant is to voluntarily surrender at the institution designated by the Bureau of Prisons as notified by the U.S. Probation Office; ☐ on or after           .

## CONDITIONS OF SUPERVISED RELEASE/PROBATION

- ☐ The defendant does not object to the conditions of supervised release as set forth in the presentence investigation report.
- ☐ The defendant waives reading of the conditions of supervised release.
- ☒ **Mandatory Conditions of Supervision** imposed.
- ☒ The Court adopts the **Standard Conditions of Supervision** set forth in the presentence investigation report without change.
- ☐ The Court adopts the **Standard Conditions of Supervision** set forth in the presentence investigation report with the following changes:
- ☒ The Court adopts the **Special Conditions of Supervision** set forth in the presentence investigation report without change.
- ☐ The Court adopts the **Special Conditions of Supervision** set forth in the presentence investigation report with the following changes: