

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

FORTUNE AVENUE, LLC,

Case No. 18-CV-1362

Plaintiff,

v.

HOWARD BEDFORD,

Defendant.

DECLARATION OF JONATHAN T. SMIES

I, Jonathan T. Smies, declare under penalty of perjury and pursuant to 28 U.S.C. § 1746 as follows:

1. I am counsel for the Defendant in this matter and I make this Declaration based upon personal knowledge and my review of the documents and file in this case.

2. Attached hereto as **Exhibit 1** is a true and correct copy of Plaintiff's Response to Defendant's First Set of Requests for Admission.

3. Attached hereto as **Exhibit 2** is a true and correct copy of a document produced in discovery in this matter by Plaintiff consisting of an entry in the call log for David Van Den Heuvel's cell phone for December 5, 2012. All but one entry in this record is redacted based upon a request from Plaintiff's counsel to protect information contained in the record. The unredacted entry reflects that David Van Den Heuvel called 847-910-7190 on December 5, 2012 at 8:33:33 a.m. and the call lasted two minutes.

Dated this 28th day of May, 2019.

s/ Jonathan T. Smies
Jonathan T. Smies

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

FORTUNE AVENUE, LLC,

Plaintiff,

Case No. 18-C-1362

v.

HOWARD BEDFORD,

Defendant.

**PLAINTIFF'S RESPONSE TO DEFENDANT'S
FIRST SET OF REQUESTS FOR ADMISSION**

NOW COMES the plaintiff, by and through its attorney, Robert J. Janssen, and as a Response to the Request for Admission of the defendant, states and alleges as follows:

RESPONSE TO REQUESTS FOR ADMISSION

REQUEST NO. 1: Admit that excepting the June 13, 2018 letter from Fortune Avenue's counsel to Bedford and the pleadings and discovery in this matter, after December 5, 2012, you never sent any correspondence to Bedford regarding the Term Loan Agreement or the Note.

Response No. 1: Admit

REQUEST NO. 2: Admit that until your counsel made a demand on June 13, 2018 you had not made a demand on Bedford concerning the Term Loan Agreement or Note since December 5, 2012.

Response No. 2: Admit.

REQUEST NO. 3: Admit that David Van Den Heuvel requested a meeting with Bedford and that such meeting occurred on December 5, 2012.

EXHIBIT

1

Response No. 3: Deny.

Dated this 9 day of May, 2019.

JANSSEN LAW LLC

By: 

Robert J. Janssen, Attorney for Plaintiff
State Bar No. 1000525

POST OFFICE ADDRESS:

3000 Riverside Drive, Suite 210
Green Bay, WI 54301
(920) 425-4844

Call Details

8479107190	12/5/2012 8:33:33 AM NORTHBROOK, IL	P	2	0
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