

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 17-CR-160

RONDAL H. VAN DEN HEUVEL,

Defendant.

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**MEMORANDUM TO THE COURT REGARDING THE  
DEFENDANT’S MOTION FOR RETURN OF PROPERTY**

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The United States of America, by and through its attorneys, Matthew D. Krueger, United States Attorney for the Eastern District of Wisconsin, Adam Ptashkin, Assistant United States Attorney, and BeLinda I. Mathie, Special Assistant United States Attorney, hereby files this Memorandum to the Court regarding the defendant’s Motion for Return of Property. For reasons discussed in the Memorandum, the defendant’s Motion should be denied.

On May 31, 2019 the Court entered an order “directing counsel for the Government to confer with defense counsel and advise the court whether resolution of 87 Motion for Return of Property, filed by Ronald H Van Den Heuvel, is still required.” R. Doc. 147. The United States has conferred with the defendant’s current counsel, Ms. Johanna M. Christiansen of the Federal Public Defender’s Office of the Central District of Illinois, and Ms. Christiansen has informed the United States that the defendant still wants to pursue his Motion. Ms. Christiansen stated the defendant still wants a server returned to him, and that the defendant believes there are other

documents, including correspondence with the defendant's father, that were never returned to the defendant.

In the defendant's original Motion for Return of Property, he requests return of a "server with accounting . . ." R. Doc. 87. The United States is not in possession of this server, or any other server owned by the defendant or his Green Box business entity. The United States has checked with the Brown County Sheriff's Office ("Brown County"), and that office is also not in possession of a server belonging to the defendant. The servers seized by Brown County from Green Box were digitally imaged by the FBI and then returned to Brown County. The servers were then released by Brown County to representatives of Green Box in 2016. The United States notes that given the servers were not released to the defendant, it is possible the defendant has not seen all these servers after they were released by Brown County.

Brown County currently has in its possession a cellphone belonging to the defendant's co-conspirator Philip Reinhart, and a cellphone and laptop computer belonging to the defendant's former business attorney that worked for Green Box. These items are available for pickup anytime by Mr. Reinhart and the lawyer. Brown County also has a small box containing a will, passport, keys, and other small items. The defendant's representatives are free to pick up this box at any time.

In regards to documents, all seized documents were electronically scanned and provided to the defendant's trial counsel. The FBI still possesses documents that are relevant to the prosecution. Per standard FBI policy, the FBI intends to maintain possession of these documents until the defendant's appeal has been resolved. When the FBI and United States went through all the documents seized during the execution of the search warrant, any documents found that were personal documents and not relevant to the case, including medical records, were returned to the

defendant. Given the extremely large quantity of paper documents seized in this investigation, it is possible there are personal letters intermingled with all the documents relating to the defendant's wire fraud scheme. However, the FBI and U.S. Attorney's Office never came across these documents during the review of the seized documents.

The United States also notes that on July 11, 2016, the United States sent the attorneys for the defendant and Green Box at that time a 20 page spreadsheet and a 5 page spreadsheet that detailed hard copy materials that were ready to be returned. This was the beginning of the United States' good faith attempt to facilitate the return to the defendant and Green Box all documents that were not relevant to the prosecution. The first spreadsheet detailed pallets of boxes, and the second spreadsheet detailed file cabinets, which contained materials seized by Brown County pursuant to the search warrant.

In conclusion, the United States respectfully requests the Court deny the defendant's Motion for Return of Property.

Dated at Milwaukee, Wisconsin, this 24th day of June, 2019.

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By:

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