

FILED
09-27-2023
Clerk of Circuit Court
Pierce County, WI
2022CX000002

DATE SIGNED: September 26, 2023

Electronically signed by Hon. Elizabeth L. Rohl
Circuit Court Judge

STATE OF WISCONSIN CIRCUIT COURT PIERCE COUNTY

STATE OF WISCONSIN,
17 West Main Street
Post Office Box 7857
Madison, Wisconsin 53707-7857,

Plaintiff,

v.

Case No. 22-CX-000002
Complex Forfeiture: 30109

ELLSWORTH COOPERATIVE
CREAMERY,
Post Office Box 610
232 North Wallace Street
Ellsworth, Wisconsin 54011,

Defendant.

JUDGMENT

Based on the Stipulation for Judgment between the Plaintiff State of Wisconsin and Defendant Ellsworth Cooperative Creamery (ECC), and on the Court's Order for Judgment, judgment is granted in favor of the State of Wisconsin and against ECC in the amount of \$250,000.00. This sum is comprised of forfeitures, statutory surcharges, costs, attorney fees, and Department of Natural Resources

(DNR) costs as follows: forfeitures of \$101,954.08 as provided for in Wis. Stat. § 283.91(2), the 26 percent penalty surcharge of \$26,508.06 pursuant to Wis. Stat. § 814.75(18), the 20 percent environmental surcharge of \$20,390.82 pursuant to Wis. Stat. § 814.75(12), the 1 percent jail surcharge of \$1,019.54 pursuant to Wis. Stat. § 814.75(14), \$25.00 in court costs pursuant to Wis. Stat. § 814.63(1), the \$13.00 crime laboratories and drug law enforcement surcharge pursuant to Wis. Stat. § 814.75(3), the \$68.00 court support services surcharge under Wis. Stat. § 814.75(2), the \$21.50 justice information system surcharge under Wis. Stat. § 814.75(15), attorney fees of \$10,000.00 pursuant to Wis. Stat. § 283.91(5), and DNR costs of \$90,000.00 pursuant to Wis. Stat. § 283.87(1).

ECC will pay a total of \$150,000.00 by checks payable to the Pierce County Circuit Court and delivered to the Pierce County Clerk of Court, Pierce County Courthouse, 415 West Main Street, Room 202, Post Office Box 129, Ellsworth, Wisconsin 54011, along with cover letters to the Court identifying this case by name and case number. A copy of the cover letters shall be simultaneously mailed as proof of payment to Assistant Attorney General Bradley J. Motl at the Wisconsin Department of Justice, Post Office Box 7857, Madison, Wisconsin 53707-7857. Payment shall be made in accordance with the following schedule:

- a. \$75,000.00 by June 1, 2025; and
- b. \$75,000.00 by June 1, 2026.

ECC will pay a total of \$10,000.00 in attorney fees by check payable to the Wisconsin Department of Justice and mailed to Assistant Attorney General Bradley

J. Motl at the Wisconsin Department of Justice, Post Office Box 7857, Madison, Wisconsin 53707-7857 by December 1, 2023.

ECC will pay a total of \$90,000.00 in costs for fish restitution by checks payable to the Wisconsin Department of Natural Resources. The checks shall be delivered to Margaret Hooper, FN/2, Department of Natural Resources, 101 S. Webster Street – GEF 2, Madison, Wisconsin 53703, along with a cover letter identifying this case by name and number. A copy of the cover letters shall be simultaneously mailed as proof of payment to Assistant Attorney General Bradley J. Motl at the Wisconsin Department of Justice, Post Office Box 7857, Madison, Wisconsin 53707-7857. Payment shall be made in accordance with the following schedule:

- a. \$15,000.00 by December 1, 2023; and
- b. \$75,000.00 by June 1, 2024.

The terms of the Stipulation for Judgment and Order for Judgment are incorporated into this Judgment in their entirety. This Judgment is final for purposes of appeal. This Judgment shall be docketed pursuant to Wis. Stat. § 806.10(1).