

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

Plaintiff,

v.

Case No. 12-CX-_____
Complex Forfeiture: 30109

KRAUSE KONSTRUCTION CO.
a domestic corporation
103 Cal Debuhr Lane
Coon Valley, Wisconsin 54623,

Defendant.

STIPULATION AND ORDER FOR JUDGMENT

STIPULATION

The State of Wisconsin (State) brought this action against defendant Krause Konstruction Co. to enforce the State's hazardous waste management laws. The State and Krause Konstruction Co. (Krause) wish to settle the matter between them by agreement, now, therefore,

IT IS HEREBY STIPULATED AND AGREED that:

1. Within three months after entry of judgment, Krause agrees that it will obtain a lead company certification under Wis. Admin. Code ch. DHS 163 and an asbestos company certification under Wis. Admin. Code ch. DHS 159, and that its owner, Jason Krause, shall obtain the individual certifications required to maintain these company certifications. Specifically, Jason Krause must obtain certifications as a lead-

safe renovator and an exterior asbestos supervisor. Krause further agrees that it will keep its lead and asbestos certifications current as long as it remains in the exterior renovation and/or painting business.

2. Krause will pay and judgment will be entered against it and in favor of the State of Wisconsin in the amount of \$10,000.00 for the violations described in the Complaint. This sum is comprised of forfeitures, statutory surcharges, costs, and attorney's fees as follows: forfeitures of \$5,355.44 under Wis. Stat. § 291.97(1), a 26% penalty surcharge of \$1,392.42 under Wis. Stat. § 814.75(18), a 20% environmental surcharge of \$1,071.09 under Wis. Stat. § 814.75(12), \$25.00 in court costs under Wis. Stat. § 814.63(1), an \$13.00 crime laboratories and drug law enforcement surcharge under Wis. Stat. § 814.75(3), a \$68.00 court support services surcharge under Wis. Stat. § 814.75(2), a 1% jail surcharge of \$53.55 under Wis. Stat. § 814.75(14), a \$21.50 justice information system surcharge under Wis. Stat. § 814.75(15), \$1,000.00 for the Department of Natural Resources' investigative costs, and \$1,000.00 for the Department of Justice's attorney's fees pursuant to Wis. Stat. § 291.97(3).

3. The payment to the Department of Justice shall be made payable to "State of Wisconsin Department of Justice" and shall be sent to Assistant Attorney General Diane L. Milligan, Department of Justice, Post Office Box 7857, Madison, Wisconsin 53707-7857 within one month after entry of judgment. The payment to the Department of Natural Resources shall be made payable to the "State of Wisconsin Department of Natural Resources," and sent to Assistant Attorney General Milligan at the address just noted within two months after entry of judgment. The remaining \$8,000 shall be paid by

monthly payments of \$1,000 commencing the third month after entry of judgment. These payments shall be made payable to the La Crosse County Clerk of Circuit Court and delivered to the Clerk of Court at the La Crosse County Courthouse, 333 Vine Street, La Crosse, Wisconsin, 54601, with a letter to the clerk identifying the case by name and number. A copy of each check and cover letter will be sent to Assistant Attorney General Diane L. Milligan, Department of Justice, Post Office Box 7857, Madison, Wisconsin 53707-7857.

4. If Krause fails to comply with any provision or deadline in this stipulation, it shall be in default of the stipulated judgment, and all financial obligations remaining or outstanding under paragraphs 2 and 3 of this stipulation shall be accelerated and be immediately due and payable, and interest shall be added to the balance due, under Wis. Stat. § 815.05(8), from the date of entry of judgment.

5. Compliance by Krause with its obligations under this stipulation and order for judgment shall constitute full compromise, settlement, and satisfaction of his liability for the violations described in the complaint.

6. Except as between the parties hereto, nothing contained herein shall be construed as an admission of liability in any proceeding now pending or hereafter commenced.

7. The parties hereby waive their right to appeal the order issued pursuant hereto. Judgment incorporating the terms of this stipulation may be entered without further notice or costs, and the judgment may be docketed pursuant to Wis. Stat. § 806.10(1).

Dated: 05/17/12

KRAUSE KONSTRUCTION CO.



JASON KRAUSE, Owner
103 Cal Debuhr Lane
Coon Valley, Wisconsin 54623

Dated: 05/17/12

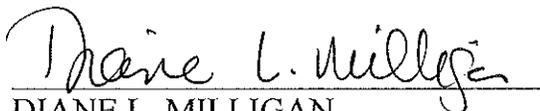
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ORDER FOR JUDGMENT

The Court approves the terms of the foregoing stipulation in *State of Wisconsin v. Krause Konstruction Co.*, Case No. 12-CX-____, under which defendant Krause must obtain company and individual lead and asbestos certifications under Wis. Admin. Code chs. DHS 159 and 163, and under which it must pay \$10,000.00 in penalties, statutory surcharges, and costs. The Court further directs the clerk to enter and docket the judgment accordingly.

This is a final Order for purposes of appeal under Wis. Stat. § 808.03(1).

Dated this ____ day of _____ 2012.

BY THE COURT:

La Crosse County Circuit Court