

STATE OF WISCONSIN,

Plaintiff,

v.

Case No. 11-CX-0003

Complex Forfeiture: 30109

PLATTEVILLE GOLF AND
COUNTRY CLUB, INC.,

Defendant.

STIPULATION AND ORDER FOR JUDGMENT

The State of Wisconsin brought this action against the defendant, Platteville Golf and Country Club, Inc. (Platteville Golf), seeking forfeitures and injunctive relief for the defendant's violations of Wisconsin's laws that protect public rights in waters of the state. The parties wish to settle the matter by agreement and without further litigation, and therefore they enter into this Stipulation.

IT IS HEREBY STIPULATED AND AGREED between the parties, the State by its attorneys, Attorney General J.B. Van Hollen and Assistant Attorney General Lorraine C. Stoltzfus, and the defendant Platteville Golf by its attorney Charles V. Sweeney, that this case shall be settled on the following terms and conditions:

1. This Stipulation constitutes the complete understanding between the parties.
2. Judgment shall be entered in favor of the State of Wisconsin and against defendant Platteville Golf in the amount of \$12,000. This sum is comprised of

forfeitures, statutory surcharges, and attorney's fees as follows: forfeitures of \$6,476.28 under Wis. Stat. § 281.98(1), a 26% penalty surcharge of \$1,683.83 under Wis. Stat. § 814.75(18), a 10% environmental surcharge of \$647.63 under Wis. Stat. § 814.75(12), \$25 in court costs under Wis. Stat. § 814.63(1), a \$13 crime laboratories and drug law enforcement surcharge under Wis. Stat. § 814.75(3), a \$68 court support services surcharge under Wis. Stat. § 814.75(2), a 1% jail surcharge of \$64.76 under Wis. Stat. § 814.75(14), a \$21.50 justice information system surcharge under Wis. Stat. § 814.75(15), and attorney's fees of \$3,000 pursuant to Wis. Stat. § 281.98(2).

3. Defendant shall pay \$12,000 in 60 installments (\$200 per month beginning August 1, 2012 continuing each month through July 1, 2017).

a. The first 15 payments of \$200 each, payable August 1, 2012 through October 1, 2013, shall be for attorney's fees of \$3,000. Each payment shall be paid by check made payable to "State of Wisconsin" and shall be delivered or postmarked by the first of each month to the Environmental Protection Unit, Attention: Lorraine Stoltzfus, Wisconsin Department of Justice, Post Office Box 7857, Madison, Wisconsin 53707-7857.

b. The remaining 45 payments of \$200 each, payable November 1, 2013 through July 1, 2017, shall be by checks payable to the "Grant County Clerk of Circuit Court." A cover letter, noting the named parties to this case and noting its case number, along with each enclosed check for the payment shall be mailed to the attention of Clerk of Circuit Court, Grant County Circuit Court, and shall be addressed to Courthouse, 130 W. Maple Street, Lancaster, WI 53813-1667. Defendant shall also simultaneously

mail a photocopy of both the cover letter and the check to the Environmental Protection Unit, Attention: Lorraine Stoltzfus, Wisconsin Department of Justice, Post Office Box 7857, Madison, Wisconsin 53707-7857.

4. If defendant fails to comply with any provision or deadline in this stipulation, the defendant shall be in default of the stipulated judgment, and all financial obligations remaining or outstanding under this stipulation shall be accelerated and shall be immediately due and payable. In addition, if the defendant is held to be in default, the defendant shall reimburse the State of Wisconsin for all its costs and fees, including all its attorney's fees, incurred in connection with enforcing this stipulation.

5. In the event of default under the terms of the stipulation, the terms of the stipulation relating to payment of money shall be deemed null and void, and interest shall be added to the balance due, pursuant to Wis. Stat. § 815.05(8), from the date of entry of judgment.

6. The defendant stipulates and agrees that, for a period of two years from the date that Judgment is entered in this matter, the defendant shall monitor the site for stabilization and check for erosion and head-cutting; that a report on the condition of the stability of the site with supporting photographs shall be submitted to DNR Water Management Specialist Jeff Schure (or his successor) on October 1, 2012, April 1, 2013, October 1, 2013, and April 1, 2014; that the report shall provide that if there are any stability issues that immediate action will be taken to correct the problem, in consultation with the DNR water management specialist; and that the defendant will timely perform the necessary corrective action.

7. The defendant's compliance with the stipulation and judgment shall constitute full satisfaction and release of its liability, including officers, directors and employees of defendant Platteville Golf for the violations alleged in the complaint.

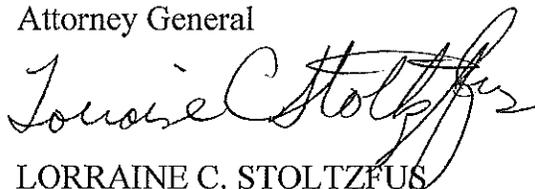
8. The provisions of this stipulation and the judgment shall apply to and be binding upon the parties and their agents, servants, employees, trustees, successors and assigns.

9. The accompanying order for judgment and judgment may be entered incorporating the terms of this stipulation without further notice and the judgment may be docketed pursuant to Wis. Stat. § 806.10(1).

10. The parties hereby waive their right to appeal the final Order in this case.

Dated this 4th day of June 2012.

J.B. VAN HOLLEN
Attorney General



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Assistant Attorney General
State Bar #1003676

Attorneys for Plaintiff State of Wisconsin

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Dated this 17th day of June 2012.

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ORDER FOR JUDGMENT

The terms of the above stipulation in *State of Wisconsin v. Platteville Golf and Country Club Inc.*, Grant County Case No. 11-CX-0003, are approved by the Court, under which defendant Platteville Golf and Country Club, Inc., must pay \$9,000 in forfeitures and statutory surcharges and \$3,000 in attorney's fees, and the clerk is directed 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 June 2012.

BY THE COURT:

THE HONORABLE ROBERT P. VANDEHEY
Grant County Circuit Court