

STATE OF WISCONSIN,

Plaintiff,

v.

Case No. 20-CF-

MICHAEL J. MORAN

Defendant.

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**SUMMONS**

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THE STATE OF WISCONSIN TO SAID DEFENDANT:

The Complaint, a copy of which is attached, having been made before me accuses the Defendant of the following crime:

**COUNT 1: THEFT** From in or about January 2012, and continuing until in or about April 2018, contrary to Wis. Stat. §§ 943.20(1)(b) and 943.20(3)(c), a Class G felony.

You, Michael J. Moran, are, therefore, summoned to appear at the Wood County Courthouse, located at 400 Market Street, Wisconsin Rapids, Wisconsin 54495, in front of Branch 1 Wood County Circuit Court Judge Gregory J. Potter, to answer said Complaint, **on Monday, the 24th day of February, 2020, at 9:00 A.M.**

**IF YOU FAIL TO APPEAR, A WARRANT FOR YOUR ARREST MAY BE ISSUED.**

Dated this 28th day of January, 2020.

Wisconsin Department of Justice  
Post Office Box 7857  
Madison, Wisconsin 53707-7857  
608-267-8901  
(608) 267-2778 (Fax)  
[lenningtondp@doj.state.wi.us](mailto:lenningtondp@doj.state.wi.us)

Electronically signed by,

/s/ Daniel P. Lennington  
DANIEL P. LENNINGTON  
Assistant Attorney General  
State Bar No. 1088694

STATE OF WISCONSIN,

Plaintiff,

v.

MICHAEL J. MORAN,

Defendant.

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**CRIMINAL COMPLAINT**

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I, Special Agent Loreen Glaman, Wisconsin Department of Justice, Division of Criminal Investigations, being first duly sworn on oath state upon information and belief:

**COUNT 1: THEFT**

From in or about January 2012, and continuing until in or about April 2018, in Wood County, Wisconsin, the above-named defendant, by virtue of his business and employment, had possession and custody of negotiable instruments of a group of milk producers that exceeded \$10,000 in value but less than \$100,000 in value, and intentionally used, transferred, concealed, and retained possession of such instruments without the milk producers' consent, contrary to his authority, and with intent to convert them to his own use or to the use of any other person except the milk producers, contrary to Wis. Stat. § 943.20(1)(b), a Class G felony pursuant to Wis. Stat. § 943.20(3)(c). Upon conviction, the above-named defendant may be fined not more than \$25,000 or imprisoned not more than 10 years, or both, pursuant to Wis. Stat. § 939.50(3)(g).

**FACTUAL BASIS**

I, Loreen Glaman, am a Special Agent with the Division of Criminal Investigations at the Wisconsin Department of Justice and base this complaint upon my own investigation and the investigation of others, relying upon my training and experience, as well as upon the review of law enforcement, state agency, and other records. I obtained and reviewed statements made by regulators, auditors, investigators, witnesses, victims, and the Defendant. I personally interviewed witnesses and victims in this case. Statements from regulators, auditors, investigators, witnesses, and victims are believed to be truthful and reliable. The Defendant's incriminating statements are presumed truthful and reliable as statements against his penal interest. The following facts form the basis of this criminal complaint:

1. During the relevant time period, the defendant, Michael Moran, owned Wisconsin Dairy State Cheese Company ("Dairy State"), which produces a variety of cheese products (like cheese curds, cheese spreads, whey protein powder, and specialty cheese). Moran also ran an adjacent cheese store in Rudolph, Wisconsin.

2. In February 2017, the United States Department of Agriculture received a complaint that someone at a cheese plant in Rudolf, Wisconsin, was forging signatures on underpayment checks. Processors, such as cheese plants, write underpayment checks to producers, such as dairy farmers, when the USDA sets the price of milk higher than what a processor initially paid for the milk. USDA auditors determine the amount of underpayment and order processors to issue the underpayment checks.

3. The forgeries were found on checks issued by Dairy State and made payable milk producers.

4. USDA routinely audited Dairy State. If the USDA auditor identified underpayments, then the auditor would observe Michael Moran write checks to each producer. When these checks were made, they were negotiable instruments and were the property of the milk producers. These checks were in the custody of Moran and Moran did not have consent to use, transfer, conceal, or retain possession of the checks.

5. Witness 1 worked with Moran at Dairy State. Witness 1 reported to USDA that Moran would never send out the checks to the milk producers. According to Witness 1, after the auditor would leave, Moran would forge the payees' signatures on the back of the checks and then place them in the cash register at the cheese store thereby converting them for his own use, all without the consent of the payees. The checks from the register would then be taken together to the bank at the end of the week and deposited. Moran told Witness 1, "I've been doing this for many years and the Federal Order auditors have never caught on to this." I interviewed Witness 1 on August 22, 2019, and he confirmed these allegations.

6. Approximately 83 milk producers reported to have been victimized. Victims signed statements indicating that they had not received the check made out to them and that the signature on the back of each check was not theirs. The total losses for these 83 milk producers amounts to \$21,250.97. Of the victims, 21 are over 60 years old.

7. On June 26, 2017, USDA Compliance Officer Kevin Schmitt contacted Victim 1 and his wife. Victim 1 reviewed copies of seven checks made payable to him. He said he never saw, endorsed, cashed, deposited, or received funds from any of the checks. He also said he did not sign checks using his full name, and that many of the checks bore his full name. He said he never cashed a check at Dairy State and any money he received from Dairy State would have been deposited into his account, not cashed.

8. On November 9, 2018, I interviewed Victim 1 and his wife. I showed Victim 1 twelve checks that were made payable to him and drawn on Dairy State's account. The checks totaled \$417.47. Victim 1 did not recognize the checks and said that signatures on the backs of these checks were not his signature. Victim 1 said that he did not give Moran or anyone else permission to cash the checks. Victim 1 said he was not given money from these checks, and signed a statement indicating that he did not give anyone permission to sign the checks or take the money. Victim 1's wife said she called Moran in August 2018 about these checks. She reported that Moran was defensive and told her she needed to wait for the auditor. Moran then hung up. Victim 1 and his wife reported that they never cashed checks at Dairy State, though they did buy cheese there.

Dated this 27th day of January 2020.

/s/ Loreen Glaman  
LOREEN GLAMAN  
Special Agent  
Wisconsin Department of Justice

Subscribed and sworn to before me,  
and approved for filing,  
this 27<sup>th</sup> day of January, 2020.

Daniel P. Lennington  
DANIEL P. LENNINGTON  
Assistant Attorney General  
State Bar # 1088694

Attorney for State of Wisconsin

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