

FILED
04-19-2021
Clerk of Circuit Court
La Crosse County WI
2021CX000001

DATE SIGNED: April 19, 2021

Electronically signed by Ramona A. Gonzalez
Circuit Court Judge

THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL.

STATE OF WISCONSIN CIRCUIT COURT LA CROSSE COUNTY
 BRANCH ____

STATE OF WISCONSIN,
17 W. Main Street
P.O. Box 7857
Madison, Wisconsin 53707-7857,

Plaintiff,

v.

Case No. 21-CX-_____
Complex Forfeiture: 30109

K & D MANURE HANDLING, INC.
3190 Canary Avenue
Sparta, Wisconsin 54656,

and

KEVIN D. HINTZ,
3190 Canary Avenue
Sparta, Wisconsin 54656

Defendants.

JUDGMENT

Based on the Stipulation for Judgment between the plaintiff State of Wisconsin and defendants K & D Manure Handling, Inc. (K & D Manure Handling) and Kevin

D. Hintz (collectively referred to as “the Defendants”), and on the Court’s Order for Judgment, judgment is granted in favor of the State of Wisconsin and against the Defendants in the amount of \$107,228.00. This sum is comprised of forfeitures, surcharges, costs, attorney fees and Department of Natural Resources (DNR) costs as follows: forfeitures of \$16,579.93 pursuant to Wis. Stat. §§ 283.91(2) and 292.99(1), a 26 percent penalty surcharge of \$4,310.78 pursuant to Wis. Stat. § 814.75(18), a 20 percent environmental surcharge of \$3,315.99 pursuant to Wis. Stat. § 814.75(12), \$25.00 in court costs pursuant to Wis. Stat. § 814.63(1), a \$13.00 crime laboratories and drug law enforcement surcharge pursuant to Wis. Stat. § 814.75(3), a \$68.00 court support services surcharge pursuant to Wis. Stat. § 814.75(2), a 1 percent jail surcharge of \$165.80 pursuant to Wis. Stat. § 814.75(14), a \$21.50 justice information system surcharge pursuant to Wis. Stat. § 814.75(15), attorney fees of \$5,000.00 pursuant to Wis. Stat. §§ 283.91(5) and 292.99(2), and DNR costs of \$77,728.00 pursuant to Wis. Stat. § 283.87(1).

The Defendants will pay \$24,500.00 by check payable to the La Crosse County Circuit Court and delivered to the La Crosse County Clerk of Courts, LEC – Rm. 1200, 333 Vine Street, La Crosse, Wisconsin 54601, along with a cover letter identifying the case by name and number. A copy of the cover letter shall be simultaneously mailed as proof of payment to Assistant Attorney General Emily M. Ertel at the Wisconsin Department of Justice, Post Office Box 7857, Madison, Wisconsin 53707-7857. Payment shall be made within 90 days after the Court signs the Order for Judgment.

The Defendants will pay \$5,000.00 in attorney fees by check payable to the Wisconsin Department of Justice. The check shall be delivered to Assistant Attorney General Emily M. Ertel at the address above, along with a cover letter identifying the case by name and number. Payment shall be made within 90 days after the Court signs the Order for Judgment

The Defendants will pay \$77,728.00 in costs for the fish killed as a result of the violations alleged in the Complaint by check payable to the Department of Natural Resources. The check 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 the case by name and number. A copy of the cover letter shall be simultaneously mailed as proof of payment to Assistant Attorney General Emily M. Ertel at the address provided above. Payment shall be made within 90 days after the Court signs the Order for Judgment.

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. The Judgment shall be docketed pursuant to Wis. Stat. § 806.10(1).