

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 09-CV-403
)	
STONE LEGACY CORPORATION n/k/a)	
LEGACY MANAGEMENT TEAM, INC.,)	
STEVE MEYER and SCOTT HERMAN,)	
)	
Defendants.)	

STIPULATION

Plaintiff United States of America, by Stephen P. Sinnott, Acting United States Attorney for the Western District of Wisconsin, by Richard D. Humphrey, Assistant United States Attorney, defendants Stone Legacy Corporation n/k/a Legacy Management Team, Inc., Steve Meyer and Scott Herman, by their attorney Adam M. Jarchow, and third party defendant Robert Fojut, hereby stipulate and agree to settle this case as follows:

1. Fojut Investments, LLC (“Fojut Investments”) is responsible for payment of the Pierce County real estate taxes and the Village of Spring Valley real estate taxes that remain due under the subject lease between landlord Stone Legacy Corporation n/k/a Legacy Management Team, Inc. (“LMT”) and tenant Fojut Investments, for the eleven-month period from January 1, 2008, to November 30, 2008, the latter date being the date on which said lease was terminated. LMT shall be responsible for payment of the interest that has accrued on the Pierce County and Village of Spring

Valley real estate taxes due for the year 2008.

2. To meet Fojut Investments' responsibility for payment of the said real estate taxes, the \$12,000.00 of funds being held in escrow by attorney John W. Knuteson on behalf of Fojut Investments, shall be distributed by Mr. Knuteson as follows:

- (1.) \$6,471.30 shall be paid by means of a check, payable to Pierce County Treasurer, which shall be sent to the following address:

Pierce County Treasurer
Phyllis J. Beastrom, Treasurer
P.O. Box 87
Ellsworth, WI 54011-0087

A copy of the Notice of Real Estate Tax Due (Attachment 1) shall be enclosed with the check.

- (2.) \$1,045.37 shall be paid by means of a check, payable to Village of Spring Valley, which shall be sent to the following address:

Village of Spring Valley
E121 South 2nd Street
P.O. Box 276
Spring Valley, WI 54767

A copy of the statement of the Village of Spring Valley (Attachment 2) shall be enclosed with the check.

- (3.) \$4,483.33 shall be paid by means of a check, payable to Fojut Investments, LLC, which shall be sent to the following address:

Fojut Investments, LLC
4750 Stratford Drive
Greendale, WI 53129

3. LMT shall return to Fojut Investments its security deposit in the amount

of \$4,167.00 plus accrued interest, if any, that is currently being held in escrow by attorney Kristina Ogland on behalf of LMT. Said funds shall be paid by means of a check payable to Fojut Investments. Said check shall be sent to the following address:

Fojut Investments, LLC
4750 Stratford Drive
Greendale, WI 53129

4. This stipulation is intended to resolve all issues that have arisen and that may later arise under the provisions of the subject lease. Accordingly, plaintiff United States of America, along with Fojut Investments, John T. Fojut, Anne T. Fojut, and third party defendant Robert Fojut hereby release defendants LMT, Steve Meyer, and Scott Herman from any and all liability arising under said lease, except as set forth in this Stipulation. Conversely, the defendants hereby release the United States of America, Fojut Investments, John T. Fojut, Anne T. Fojut and third party defendant Robert Fojut from any and all liability arising under said lease, except as set forth in this Stipulation.
5. This case shall be dismissed by the court with prejudice but without an award of costs or attorney fees.

STEPHEN P. SINNOTT
Acting United States Attorney

By:

September 15, 2009
Date

/s/ Richard D. Humphrey
RICHARD D. HUMPHREY
Counsel for plaintiff
Assistant United States Attorney
Western District of Wisconsin

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September 14, 2009
Date

/s/Adam M. Jarchow
ADAM M. JARCHOW
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September 13, 2009
Date

/s/John T. Fojut
JOHN T. FOJUT, individually and on behalf
of Fojut Investments, LLC

September 13, 2009
Date

/s/Anne T. Fojut
ANNE T. FOJUT, individually and on
behalf of Fojut Investments, LLC

September 12, 2009
Date

/s/Robert Fojut
ROBERT FOJUT, Third Party Defendant