

STATE OF WISCONSIN

CIRCUIT COURT
Branch 4

DANE COUNTY

STATE OF WISCONSIN,

Plaintiff

vs.

SCOTT R. JENSEN,
STEVEN M. FOTI
SHERRY L. SCHULTZ

Defendants

02CF2453

02CF2454

02CF2455

**PROPOSED ORDERS OF RESTITUTION AND RESPONSE TO DEFENDANT
JENSEN'S MOTION TO DISMISS RESTITUTION AND CANCEL HEARING**

The State of Wisconsin, by and through its attorney, Dane County District Attorney Brian W. Blanchard, respectfully submits the attached as proposed restitution orders and response to the defendant Jensen's Motion to Dismiss Restitution and Cancel Hearing.

Motion to Dismiss Restitution

Defendant Jensen moves for an order relieving him of the obligation to pay any restitution in this case and canceling the long scheduled restitution hearing on the grounds that the state had not yet, by the time of his filing of August 24, 2006, provided a proposed order of restitution. This motion is without merit, because the minor delay here is not prejudicial to defendant Jensen, and no defendant has previously raised a timeliness objection.

The court has already heard the evidence regarding the restitution owed and ordered that restitution be paid. Defendant Jensen well knows that he could not reasonably assume, as he now claims, that "the only explanation for the failure of the District Attorney to provide a proposed restitution order and itemization in support of that

order is due to the fact that it recognizes that the victim in this case is unable to meet its burden of proof." As the court is aware from the proof introduced at trial in this case and the consistent position of the state, each of the defendants, Jensen, Foti, and Schultz, owe to the State of Wisconsin, at the least, the money paid to state employees to work on campaigns where any defendant participated in that unlawful activity.

Pursuant to Sec. 973.20, stats., trial courts are required to order full or partial restitution "to any victim of a crime 'unless the court finds substantial reason not to do so and states the reason on the record.' " *State v. Evans*, 2000 WI App 178, para 13, 238 Wis. 2d 411; see also Sec. 973.20(1r). "A sentence that fails to provide for restitution is unlawful and is subject to amendment." *State v. Ziegler*, 2005 WI App. 69, para 11, 280 Wis. 2d 860 (citing *State v. Borst*, 181 Wis. 2d 118, 122-123, 510 N.W.2d 739 (Ct. App. 1993)).

In these cases, the state has consistently expressed the view that restitution is required and this court has expressly contemplated orders of restitution throughout the sentencing phase of these cases. The written plea agreement for defendant Foti, for example, contained an explicit dollar amount for the money owed, jointly and severally, by all convicted defendants, for the abuse of defendant Schultz's state employment. (Para. 16, Foti Plea Agreement.) The amount stipulated by Foti, \$300,000, constitutes a large percentage of the money the state now submits should be paid by defendant Jensen. Consistent with the positions of the state and the court, known to these defendants since at least the date of the sentencing proceeding, the court set a reasonable date for a restitution hearing to determine the precise amounts due. This court's decision to leave the determination as to the amount owed for a later date is an act clearly contemplated by Sec. 973.20(13).

Until defendant Jensen filed his motion on August 24, 2006, asking to be relieved of any restitution obligation, neither he nor either of the other two defendants expressed any objection to the timing of the restitution hearing, and none made the first inquiry to the state about the nature or timing of proposed restitution orders. Further, defendant Jensen does not now suggest any way in which he is in any manner prejudiced by his receipt at this time of completely predictable proposed orders of restitution based on the evidence charged in 2002 and then proven in detail during the February – March 2006 trial. He fails even to attempt to make such a showing.

In *State v. Perry*, 181 Wis. 2d 43, 53, 510 N.W.2d 722 (Ct. App. 1993), the court of appeals held that the sixty-day restitution determination period found at Sec. 973.20(13)(c)2. is directory, not mandatory. See also *State v. Indus. Comm'n*, 233 Wis. 461, 289 N.W. 769, 771 (1940) (time periods in Wisconsin statutes prescribing the time within which public officers required to perform official acts usually “merely directory”). The *Perry* court found the directory construction in this context reflected the legislature's intention that the court not be required in all cases to vacate a restitution order for a violation of statutory time limitations in connection with restitution orders. Orders resulting from proceedings held outside of the statutory time period for valid reasons may be upheld, provided that doing so will not result in harm or injury to the defendant. *Perry*, 181 Wis. 2d at 56-57, 510 N.W.2d 722.

As the *Perry* court noted:

The overall objective of sec. 973.20, stats., is to efficiently compensate crime victims for their pecuniary loss....Construing the time period as mandatory could result in forcing a victim, as a result of circumstances beyond anyone's control, to go through the time, inconvenience and expense of a civil suit in order to recover pecuniary losses. Construing the time period as directory has no such negative consequence. In fact, it allows restitution

proceedings held outside of the statutory time period for valid reasons to be upheld, thus achieving the overall goal of restitution.

Perry, 181 Wis. 2d at 54-56, 510 N.W. 2d 722 (citations and footnote omitted).

A defendant may attempt to show how failure to follow the directory time periods “would result in an injury or wrong,” *Perry*, 181 Wis. 2d at 57, but Jensen has failed to do so, and given the record of this case cannot do so. As in *Perry*, at the time of his sentencing hearing, Jensen “had no legitimate expectation that he would escape the restitution order.” *Id.*, 181 Wis. 2d at 58. The court is to “balance the length and reasons for delay against the injury, harm or prejudice to the defendant resulting from delay.” *Ziegler*, 280 Wis. 2d at 900.

No aspect of the restitution now sought could come as a surprise to the defendants. As long ago as the Preliminary Hearing in these long delayed cases, the defendants had readily available salary details of employees, which were also used at trial in this case, and are in any case public record that can be obtained from the Clerk’s office merely for the asking at any time.

In this case, the court set the date of the restitution hearing some months in the distance in order for the court to find sufficient time on its docket to accommodate the restitution hearing. The state apologizes to the court and counsel for having overlooked the court’s directive that proposed restitution orders be filed within 45 days. Not as an excuse for failure to comply with the 45-day order, but by way of explanation, the state has long anticipated submitting very conservative proposed restitution numbers based on the strongest trial evidence, and did not anticipate any reasonable controversy about the basis for the restitution amounts sought. Today’s submission is consistent with that

history. The court may rely on its memory of the consistent trial testimony in assessing these conservative numbers.

The timing of restitution determination was postponed for the obviously valid reason of court calendar congestion. In the case of a 14-year gap between sentencing and restitution determination hearing, where documentation regarding the crime had been lost or destroyed, and where the defendant "acquired a legitimate expectation in the finality of judgment against him," a restitution order is not valid. *State v. Ziegler*, 280 Wis. 2d 860, 901, 695 N.W. 2d 895 (Ct. App. 2005). This case bears no resemblance to the facts of *Ziegler*.

Proposed Orders Of Restitution

There is a single victim in this case, the State of Wisconsin, as represented by the Chief Clerk of the State Assembly. As the court will recall from the trial testimony, the office of the Chief Clerk did, throughout the relevant time period, issue checks for salary and benefits for all of the state employees at issue. Restitution by each defendant can be made to that agency on monthly schedules determined appropriate by the court or the Department of Corrections.

The court is aware that, as the jury effectively found, each defendant's criminal activity was a substantial factor in causing losses to the State of Wisconsin. The court now has the discretion to now determine the precise amount of restitution owed by each defendant. *State v. Canady*, 2000 WI App 87, pp 6, 12, 234 Wis. 2d 261 (presumption that restitution will be ordered in a criminal case; the restitution statute should be interpreted broadly to allow recovery).

The defendants have been and continue to remain free to submit to the court any relevant information regarding their ability to pay the restitution debt they owe.

All Three Defendants

The following are State salary and benefits paid to Sherry Schultz that the trial record clearly demonstrates were made as part of the scheme of all three defendants to operate private political campaigns using state taxpayer funds through the daily activities of Schultz while she was paid by the state. The following closely tracks Trial Exhibit 175. The Chief Clerk of the State Assembly provided this data.

Name	Year	Salary	Benefits *	Total
Sherry Schultz	1998	\$53,215.00	\$18,513.50	\$71,728.50
	1999	\$58,568.00	\$20,375.81	\$78,943.81
	2000	\$60,732.00	\$17,363.28	\$78,095.28
	2001	\$48,789.00	\$13,948.78	\$62,737.78
Total Salary & Benefits for Sherry Schultz				\$291,505.37

** NOTE: The Chief Clerk reports that the following benefits were applied to salaries of legislative employees: 1997 – 1999, 34.79%; 1999 – 2001, 28.59%*

The total amount should be ordered paid by each of the defendants, Jensen, Foti, and Schultz, jointly and severally. If paid equally, each defendant would pay \$97,168.46.

Additional Amendment for Defendant Jensen Only

In addition, the following are additional amounts, listed by state employee, that should be ordered paid by defendant Jensen, based on clear evidence presented at trial. These are very conservative figures, covering only salaries and benefits for employees performing illegal campaign work clearly demonstrated at trial as having occurred at the direction of Jensen.

Name	Position	Relevant Employment Dates	Salary	Benefits	Total
Ray Carey	ARC director	June – Nov '98	\$27,550.00	\$9,584.65	\$37,134.65
Jason Kratochwill	ARC director	June – Nov '00	\$25,935.00	\$7,414.82	\$33,349.82
Lee Riedesel	Graphic artist	June – Nov '00	\$11,281.00	\$3,225.24	\$14,506.24
Eric Grant	Graphic artist	June – Nov '98 June – Nov '00	\$31,600.00	\$9,911.43	\$41,511.43
Kacy Hack *	Graphic artist	June – Nov '00	\$11,144.00 *	\$3,186.07	\$14,330.07
Leigh Himebauch Searl	Research Asst.	May '00 – Nov '00	\$17,049.57	\$4,874.47	\$21,924.04
Carrie Hoeper Richard	Legislative Asst.	Jan '98 – Oct '99	\$60,340.65	\$19,237.13	\$79,577.78
Total Salary & Benefits for Jensen Staff					\$242,334.03

**NOTE: Hack salary reflected here discounted to 80% to reflect her testimony as to 20% state work during relevant time period.*

In each case, the state has included only these time periods in which the state presented the strongest evidence that the state employee focused on campaign tasks to the exclusion of legitimate state work. In order to present completely supported figures, the state has not included periods in which witnesses testified they performed some state work and some campaign work while in the office. This gives defendant Jensen the benefit of every possible doubt. In addition, the salary and benefits for additional ARC employees and Jensen office employees proven at trial to have performed campaign work on state time is not included to simplify the calculations, and also because the amounts that are obvious and beyond dispute are already very significant for an individual to pay. Similarly, the state also does not advocate for the inclusion of use of state resources such as office equipment, paper, or telephones, even though these would have significant expenses if individual campaigns had had to purchase them.

In addition to the proposed orders, attached are copies of

- 1) Trial Ex. 175 (Schultz Employment Timeline).
- 2) Trial Ex. 173 (ARC Staff 1997-1998).
- 3) Trial Ex. 174 (ARC Staff 1999-2000).
- 4) Payment History, Carrie Hoepfer Richards, from Assembly Chief Clerk.
- 5) Trial Ex. 18 (Employment Records of Leigh Himebauch Searl).

Summary of Each Defendant's Restitution

Defendant	Sherry Schultz's Salary	Jensen Staff Salaries	Total
Scott R. Jensen	\$291,505.36	\$242,334.03	\$533,839.40
Steven M. Foti	\$291,505.36		\$291,505.36
Sherry L. Schultz	\$291,505.36		\$291,505.36

Attorney's Fees

Separately and finally, the Chief Clerk of the Assembly made the following payments of taxpayer funds to attorneys representing the defendants in these matters: Jensen, \$67,147.40; Foti, \$27,981.75; and Schultz, \$68,629.03. The court explicitly postponed consideration of the attorneys' fees issue at the time of sentencing to be considered as part of the restitution hearing. While the court may find that these payments are not lawfully considered to be funds subject to a restitution order, the state submits that each defendant may be ordered as a condition of probation or extended supervision to repay the State or Wisconsin, separate from and beyond any other form of restitution ordered, all funds expended by the state in the representation of that defendant in connection with this case. Defendant Foti agreed to do this in paragraph 17 of the written plea agreement he entered into. Based on all the evidence before the court, that would be an appropriate condition. See *State v. Heyn*, 155 Wis. 2d 621, 456 N.W. 2d 157 (Wi. 1990) (Circuit courts have "broad authority to condition probation on satisfaction of any reasonable and appropriate requirement under sec. 973.09(1)(a); approving condition of payment for burglar alarm even though not a proper subject of restitution).

Dated at Madison, Wisconsin, this 31st day of August, 2006.

Respectfully Submitted,



Brian W. Blanchard
Dane County District Attorney
State Bar No. 1029962
Attorney for Plaintiff

Dane County Courthouse
215 S. Hamilton Street #3000
Madison, Wisconsin 53703-3297
(608) 266-4211

ORDER FOR RESTITUTION

(Attach to the Judgment of Conviction)

STATE OF WISCONSIN -vs- SCOTT R. JENSEN, DOB: 08/24/60

Court Branch 4

COURT CASE NO: 02CF002453

RESTITUTION ORDERED:.....\$ 533,839.39*

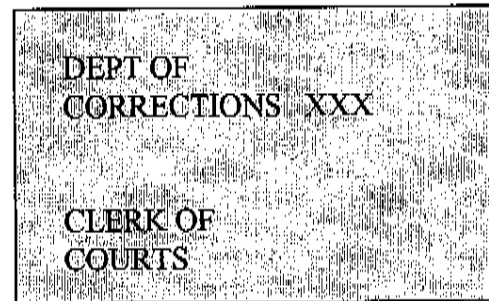
ADMINISTRATIVE COSTS:.....\$ 53,383.94

(10% of restitution)

ADMINISTRATIVE SURCHARGE:...\$ _____

(5% of restitution, fines, costs, attorney fees)

TOTAL.....\$ _____



VICTIM(S) TO RECEIVE RESTITUTION

Restitution shall be paid first to the victim and then to other agencies and insurers.

Secs. 973.20(6)and (7), Wis. Stats.

*****Restitution to be collected from prison funds if incarcerated by the Department of Corrections*****

ASSEMBLY CHIEF CLERK

\$ 533,839.39

PO BOX 8952

MADISON WI 53708-8952

***JOINT & SEVERAL WITH STEVEN FOTI (02CF002454) AND SHERRY SCHULTZ (02CF002455) IN THE AMOUNT OF \$291,505.36, BUT REMAINDER OF \$242,334.03 OWED INDIVIDUALLY.**

PROBATION CASES ONLY:

Restitution to be paid through agent.

Failure to pay restitution may result in revocation or extension of probation or a judgment against you.

NON-PROBATION CASES ONLY:

Restitution, costs and fines are to be paid within 60 days, unless otherwise ordered, to the:

DANE COUNTY CLERK OF COURTS
CRIMINAL & TRAFFIC DIV
CITY-COUNTY BLDG RM GR 10
210 MARTIN LUTHER KING JR BLVD
MADISON WI 53703

FAILURE TO PAY RESTITUTION, FINES AND COSTS MAY RESULT IN LOSS OF DRIVER'S LICENSE FOR UP TO 5 YEARS, CONTEMPT OF COURT, CIVIL JUDGMENT AND/OR A WARRANT FOR YOUR ARREST.

BY THE COURT:

JUDGE: _____ DATE: _____

ORDER FOR RESTITUTION

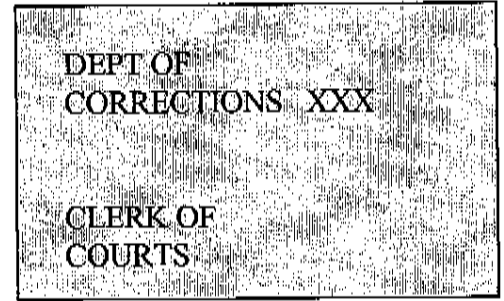
(Attach to the Judgment of Conviction)

STATE OF WISCONSIN -vs- STEVEN D. FOTI, DOB: 12/03/58
COURT CASE NO: 02CF002454

Court Branch 4

RESTITUTION ORDERED:.....\$ 291,505.36
ADMINISTRATIVE COSTS:.....\$ 29,150.54
(10% of restitution)
ADMINISTRATIVE SURCHARGE:..\$ _____
(5% of restitution, fines, costs, attorney fees)

TOTAL.....\$ _____



VICTIM(S) TO RECEIVE RESTITUTION

Restitution shall be paid first to the victim and then to other agencies and insurers.
Secs. 973.20(6) and (7), Wis. Stats.

*****Restitution to be collected from prison funds if incarcerated by the Department of Corrections*****

ASSEMBLY CHIEF CLERK
PO BOX 8952
MADISON WI 53708-8952

\$ 291,505.36

JOINT & SEVERAL WITH SCOTT JENSEN (02CF002453) AND SHERRY SCHULTZ (02CF002455)

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BY THE COURT:

JUDGE: _____ DATE: _____

ORDER FOR RESTITUTION

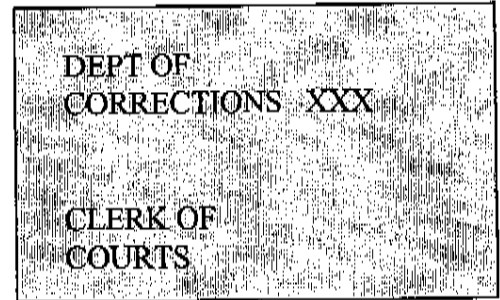
(Attach to the Judgment of Conviction)

STATE OF WISCONSIN -vs- SHERRY L. SCHULTZ, DOB: 03/25/52
COURT CASE NO: 02CF002455

Court Branch 4

RESTITUTION ORDERED:.....\$ 291,505.36
ADMINISTRATIVE COSTS:.....\$ 29,150.54
(10% of restitution)
ADMINISTRATIVE SURCHARGE:..\$ _____
(5% of restitution, fines, costs, attorney fees)

TOTAL.....\$ _____



VICTIM(S) TO RECEIVE RESTITUTION

Restitution shall be paid first to the victim and then to other agencies and insurers.
Secs. 973.20(6)and (7), Wis. Stats.

*****Restitution to be collected from prison funds if incarcerated by the Department of Corrections*****

ASSEMBLY CHIEF CLERK
PO BOX 8952
MADISON WI 53708-8952

\$ 291,505.36

JOINT & SEVERAL WITH SCOTT JENSEN (02CF002453) AND STEVEN FOTI (02CF002454)

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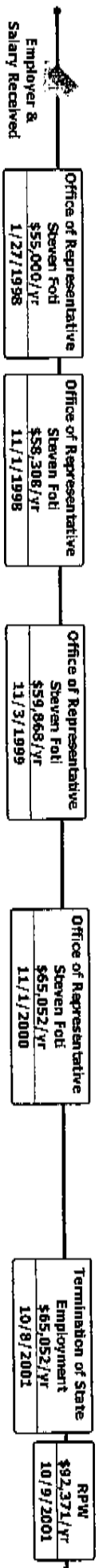
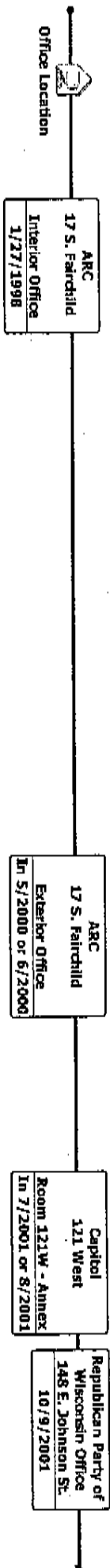
DANE COUNTY CLERK OF COURTS
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FAILURE TO PAY RESTITUTION, FINES AND COSTS MAY RESULT IN LOSS OF DRIVER'S LICENSE FOR UP TO 5 YEARS, CONTEMPT OF COURT, CIVIL JUDGMENT AND/OR A WARRANT FOR YOUR ARREST.

BY THE COURT:

JUDGE: _____ DATE: _____

Sherry Schultz' Employment 1998-2001



RPW
\$92,271/YR
10/9/2001

EXHIBIT #175

Trial
EX. 175

EXHIBIT # 173

ASSEMBLY REPUBLICAN CAUCUS STAFF 1997

Trial Ex. 173

Dec 1997	Position	Monthly Salary	Approx. Yearly Salary	Assembly Start Date
Anderson, Nicole	CA I	\$2,360.00	\$28,320.00	7/14/1997
Bognar, Jennifer	CA II	\$2,623.00	\$31,476.00	4/1/1995
Carrey, Ray	Admin. Officer	\$5,510.00	\$66,120.00	12/12/1994
Dake, Brian	CA III	\$2,837.00	\$34,044.00	9/11/1995
Drachenberg, Rhonda	CA I	\$2,635.00	\$31,620.00	3/26/1997
Grant, Eric	Graphic Artist	\$2,829.00	\$33,948.00	1/2/1995
Miller, Robert	CA III	\$3,217.00	\$38,604.00	9/5/1989
Nickolaus, Kathy	Senior Analyst	\$3,421.00	\$41,052.00	2/20/1995
Phillips, Matthew	CA III	\$2,715.00	\$32,580.00	8/22/1994
Piriot, Randall	Senior Analyst	\$3,162.00	\$37,944.00	2/6/1995
Salvo, Jay	CA I	\$2,636.00	\$31,632.00	11/10/1997
Sande, Matt	CA II	\$2,859.00	\$34,308.00	7/2/1996
Schultze, John	CA III	\$3,154.00	\$37,848.00	10/10/1994
Tompach, Matthew	Senior Analyst	\$3,463.00	\$41,556.00	3/24/1997
Tuttle, Chris	Deputy Director	\$4,174.00	\$50,088.00	1/5/1998

ASSEMBLY REPUBLICAN CAUCUS STAFF 1998

Feb 1998	Position	Monthly Salary	Approx. Yearly Salary	Assembly Start Date	Months With ARC
Anderson, Nicole	CA I	\$2,360.00	\$28,320.00	7/14/1997	all year
Carey, Ray	Admin. Officer	\$5,510.00	\$66,120.00	12/12/1994	all year
Dake, Brian	CA III	\$2,837.00	\$34,044.00	9/11/1995	all year
Drachenberg, Rhonda	CA I	\$2,635.00	\$31,620.00	3/26/1997	all year
Grant, Eric	Graphic Artist	\$2,829.00	\$33,948.00	1/2/1995	all year
Miller, Robert	CA III	\$3,217.00	\$38,604.00	9/5/1989	all year
Nickolaus, Kathy	Senior Analyst	\$3,421.00	\$41,052.00	2/20/1995	all year
Paul Tessmer	Senior Analyst	\$3,288.00	\$23,016.00	5/18/1998	May-Dec
Phillips, Matthew	CA III	\$2,715.00	\$32,580.00	8/22/1994	all year
Piriot, Randall	Senior Analyst	\$3,162.00	\$37,944.00	2/6/1995	all year
Salvo, Jay	CA I	\$2,636.00	\$31,632.00	11/10/1997	all year
Sande, Matt	CA II	\$2,859.00	\$34,308.00	7/2/1996	all year
Schultze, John	CA III	\$3,154.00	\$37,848.00	10/10/1994	all year
Tompach, Matthew	Senior Analyst	\$3,463.00	\$41,556.00	3/24/1997	all year
Tutle, Chris	Deputy Director	\$4,174.00	\$50,088.00	1/5/1998	all year

ASSEMBLY REPUBLICAN CAUCUS STAFF 1999

EXHIBIT #174

270
EX. 174

1/6/1999	Position	Monthly Salary	Approx. Yearly Salary	Assembly Start Date	Months With ARC
Anderson, Nicole	CA I	\$2,523.00	\$30,276.00	7/14/1997	all year
Dake, Brian	CA III	\$2,937.00	\$35,244.00	9/11/1995	all year
Drachenberg, Rhonda	CA I	\$2,728.00	\$32,736.00	3/26/1997	all year
Grant, Eric	Graphic Artist	\$2,929.00	\$35,148.00	1/2/1995	all year
Hack, Kacy	Graphic Artist	\$2,731.00	\$24,579.00	4/6/1999	Apr-Dec
Hartsough, Melanie	Caucus Analyst	\$2,458.00	\$12,290.00	6/9/1999	July-Dec
Himebauch, Leigh	Caucus Analyst	\$1,980.00	\$13,860.00	5/21/1999	May-Dec
Jefferson, Mark	Deputy Director	\$3,944.00	\$47,328.00	1/2/1992	all year
Kratochwill, Jason	Admin. Officer	\$5,085.00	\$50,850.00	5/19/1995	Mar-Dec
Lanne, Patrick	Senior Analyst	\$3,786.00	\$34,074.00	4/1/1999	Apr-Dec
Miller, Robert	CA III	\$3,330.00	\$39,960.00	9/5/1989	all year
Nickolaus, Kathy	Senior Analyst	\$4,090.00	\$49,080.00	2/20/1995	all year
Peer, Adam	Caucus Analyst	\$2,033.00	\$14,231.00	11/9/1998	May-Dec
Phillips, Matthew	CA III	\$2,811.00	\$5,622.00	8/22/1994	Jan-Feb
Rindfleisch, Kelly	Caucus Analyst	\$3,161.00	\$22,127.00	1/2/1995	May-Dec
Salvo, Jay	CA I	\$2,729.00	\$32,748.00	11/10/1997	all year
Sande, Matt	CA III	\$3,079.00	\$36,948.00	7/2/1996	all year
Schultze, John	CA III	\$3,265.00	\$3,265.00	10/10/1994	Jan
Tessmer, Paul	Senior Analyst	\$3,404.00	\$40,848.00	5/18/1998	all year
Tompach, Matthew	Senior Analyst	\$3,585.00	\$43,020.00	3/24/1997	all year

ASSEMBLY REPUBLICAN CAUCUS STAFF 2000

1/13/2000	Position	Monthly Salary	Approx. Yearly Salary	Assembly Start Date	Months With ARC
Cosh, William	Caucus Analyst	\$2,937.00	\$26,433.00	3/27/2000	Apr-Dec
Dake, Brian	Caucus Analyst	\$3,159.00	\$3,159.00	9/1/1995	Jan
Drachenberg, Rhonda	Caucus Analyst	\$3,145.00	\$15,725.00	3/26/1997	Jan-May
Emerson, Jim	Caucus Analyst	\$3,225.00	\$35,475.00	2/1/2000	Feb-Dec
Grant, Eric	Graphic Artist	\$3,491.00	\$41,892.00	2/2/1995	all year
Hack, Kacy	Graphic Artist	\$2,786.00	\$33,432.00	4/6/1999	all year
Hartsough, Melanie	Caucus Analyst	\$2,508.00	\$30,096.00	6/9/1999	all year
Himebauch, Leigh	Caucus Analyst	\$1,006.20	\$11,068.20	5/21/1999	Jan-Nov
Hughes, Carolyn	Caucus Analyst	\$2,764.00	\$16,584.00	12/1/1998	July-Dec
Jefferson, Mark	Deputy Director	\$4,131.00	\$49,572.00	1/2/1992	all year
Kratochwill, Jason	Admin. Officer	\$5,187.00	\$62,244.00	5/19/1995	all year
Lanne, Patrick	Senior Analyst	\$3,862.00	\$15,448.00	4/1/1999	Jan-Apr
Nickolaus, Kathy	Senior Analyst	\$4,284.00	\$51,408.00	2/20/1995	all year
Peer, Adam	Caucus Analyst	\$1,053.50	\$3,160.50	11/9/1998	Jan-Mar
Petri, Thomas	Caucus Analyst	\$2,786.00	\$27,860.00	3/6/2000	Mar-Dec
Raschka, Adam	Caucus Analyst	\$2,903.00	\$34,836.00	12/30/1996	all year
Riedesel, Lee	Graphic Artist	\$2,507.00	\$17,549.00	6/12/2000	June-Dec
Rindfleisch, Kelly	Caucus Analyst	\$3,312.00	\$6,624.00	1/2/1995	Jan-Feb
Salvo, Jay	Caucus Analyst	\$3,070.00	\$36,840.00	11/10/1997	all year
Sande, Matt	Caucus Analyst	\$3,225.00	\$3,225.00	7/2/1996	Jan
Smith, Heather	Caucus Analyst	\$3,400.00	\$40,800.00	1/18/2000	all year
Tessmer, Paul	Senior Analyst	\$3,660.00	\$43,920.00	5/18/1998	all year
Tompach, Matthew	Senior Analyst	\$3,905.00	\$27,335.00	3/24/1997	Jan-July
Woltert, Lyndee	Caucus Analyst	\$2,795.00	\$13,975.00	7/17/2000	July-Dec

Payment History - HOEPER

8/31/2006

NAME	YRCHCK	MNCHCK	DYCHCK	GROSS
Hoeper, Carrie A.	97	08	30	563.05
Hoeper, Carrie A.	97	08	31	563.05
Hoeper, Carrie A.	97	09	30	2365
Hoeper, Carrie A.	97	10	20	105
Hoeper, Carrie A.	97	10	31	2436
Hoeper, Carrie A.	97	11	30	2613.65
Hoeper, Carrie A.	97	12	31	2623
Hoeper, Carrie A.	98	01	31	2623
Hoeper, Carrie A.	98	02	28	2623
Hoeper, Carrie A.	98	03	31	2623
Hoeper, Carrie A.	98	04	30	2623
Hoeper, Carrie A.	98	05	31	2623
Hoeper, Carrie A.	98	06	30	2623
Hoeper, Carrie A.	98	07	31	2715
Hoeper, Carrie A.	98	08	31	2715
Hoeper, Carrie A.	98	09	30	2715
Hoeper, Carrie A.	98	10	31	2715
Hoeper, Carrie A.	98	11	30	2715
Hoeper, Carrie A.	98	12	31	2715
Hoeper, Carrie A.	99	01	31	2823
Hoeper, Carrie A.	99	02	28	2823
Hoeper, Carrie A.	99	02	20	302
Hoeper, Carrie A.	99	03	31	2898
Hoeper, Carrie A.	99	04	30	2898
Hoeper, Carrie A.	99	05	31	2898
Hoeper, Carrie A.	99	06	30	2898
Hoeper, Carrie A.	99	07	31	2898
Hoeper, Carrie A.	99	08	31	2898
Hoeper, Carrie A.	99	09	30	2898
Hoeper, Carrie A.	99	10	29	23.33
Hoeper, Carrie A.	99	10	31	690
Hoeper, Carrie A.	99	10	31	1177.32
Hoeper, Carrie A.	99	10	30	188

*Assembly Chief Clerk Record
of Carrie Hoeper Richard*

Name	Office of Employment	Position	Dates Of Employment
Leigh Himebauch (1)	Assembly Republican Caucus	Research Assistant	05/21/99 - 11/14/00
	Assembly Republican Caucus	Limited Term Employee (2)	09/08/98 - 11/30/98

- (1) No Leave of absence requests were found in personnel file.
- (2) There is not a position description for a limited term employee.

EXHIBIT #: 18
CASE #S: 02CF2453/02CF2455
DATE: 2/21/06 - 3/10/06
CIRCUIT COURT, BRANCH 4

*Partial Himebauch Seal History
(Use also PH Ex. 6)*

Leigh Himebauch's Assembly Payroll Information

Date	Payroll	Salary	Average Hourly Wage Based on 40 Hours
Sep-98	Jensen	\$788.46	
Oct-98	Jensen	\$974.00	
Nov-98	Harsdorf	\$974.00	
Break in Employment			
May-99	ARC	\$659.96	
Jun-99	ARC	\$1,980.00	
Jul-99	ARC	\$1,980.00	
Aug-99	ARC	\$1,980.00	
Sep-99	ARC	\$1,980.00	
Oct-99	ARC	\$1,980.00	
Nov-99	ARC	\$160.00	
Jan-00	ARC	\$1,006.20	
Jan-00	ARC	\$1,006.20	
Feb-00	ARC	\$1,006.20	
Mar-00	ARC	\$1,006.20	
Apr-00	ARC	\$1,006.20	
Apr-00	ARC	\$1,826.92	
May-00	ARC	\$2,507.00	\$15.60/hr
Jun-00	ARC	\$2,507.00	\$15.60/hr
Jul-00	ARC	\$2,583.00	\$16.14/hr
Aug-00	ARC	\$2,583.00	\$16.14/hr
Sep-00	ARC	\$2,583.00	\$16.14/hr
Oct-00	ARC	\$2,602.00	\$16.14/hr
Nov-00	ARC	\$1,182.70	\$16.26/hr
Nov-00	ARC	\$501.87	