



DISTRICT ATTORNEY DANE COUNTY



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Manager,
Domestic Violence Unit

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Office Services Supervisor

January 29, 2007

Honorable Steven Ebert
Dane County Courthouse, Branch 4
215 S. Hamilton St., #8105
Madison WI 53703

RE: State of WI vs. Scott R. Jensen, 02CF2453
State of WI vs. Steven M. Foti, 02CF2454
State of WI vs. Sherry L. Schultz, 02CF2455

Dear Judge Ebert,

Please find attached Amended Orders for Restitution for the defendants in the above referenced action, consistent with this court's Restitution Order dated November 7, 2006, so that formal orders are on file.

Separately, the state respectfully requests that this court order repayment to the state of all legal fees paid by the state in the defense of this case, as conditions of probation or extended supervision for each defendant. Also attached is a copy of the state's previously submitted Proposed Orders of Restitution And Response To Defendant Jensen's Motion To Dismiss Restitution And Cancel Hearing with its attachments, except for copies of previously submitted proposed Orders of Restitution, to avoid confusion. At Page 9 of that pleading, the state acknowledged that the legal fees might not be subject to an Order of Restitution, but requested this court to address the need for the defendants to repay the state. This court reserved ruling on this issue when it was previously raised at sentencing.

Judge Nichol, in his award, treated these obligations as liabilities of the defendants, resulting in lower restitution calculations than would otherwise have been awarded. It would be consistent with Judge Nichol's award and in the interests of justice for the court to now order repayment to the state of these legal fees, as a condition of each defendant's probation or extended supervision.

Sincerely,

Brian W. Blanchard

cc (w/ enclosures): Atty. Stephen J. Meyer
Atty. Franklyn M. Gimbel
Atty. Stephen L. Morgan
AAG Roy R. Korte
Mr. Patrick Fuller, Chief Clerk, Wisconsin State Assembly

AMENDED ORDER FOR RESTITUTION

(Attach to the Judgment of Conviction)

STATE OF WISCONSIN -vs- SCOTT R. JENSEN, DOB: 08/24/60
COURT CASE NO: 02CF002453

Court Branch 4

RESTITUTION ORDERED:.....\$ 190,521.66*
ADMINISTRATIVE COSTS:.....\$ 19,052.17
(10% of restitution)
ADMINISTRATIVE SURCHARGE:....\$ _____
(5% of restitution, fines, costs, attorney fees)

TOTAL.\$ _____

DEPT OF
CORRECTIONS XXX

CLERK OF
COURTS

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

\$ 190,521.66

***While serving confinement time, restitution shall be taken from his prison account up to 25% of his account pursuant to §DOC.309.45 and .49(4)(e). The Department of Corrections is ordered to make their deduction from Mr. Jensen's prison funds. The Department of Corrections, Division of Community Corrections shall enforce a restitution budget during the course of defendant's probation or extended supervision. The State shall file liens on defendant's real estate, as appropriate, to secure these restitution amounts.**

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: _____

AMENDED ORDER FOR RESTITUTION

(Attach to the Judgment of Conviction)

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

Court Branch 4

RESTITUTION ORDERED:.....\$ 57,935.75*
ADMINISTRATIVE COSTS:.....\$ 5,793.58
(10% of restitution)
ADMINISTRATIVE SURCHARGE:....\$ _____
(5% of restitution, fines, costs, attorney fees)

TOTAL..... \$_____

DEPT OF
CORRECTIONS XXX

CLERK OF
COURTS

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
P0 BOX 8952
MADISON WI 53708-8952

\$ 57,935.75

***Any unpaid restitution at the time of his discharge from probation shall be reduced to a civil judgment. The Department of Corrections, Division of Community Corrections shall enforce a restitution budget during the course of defendant's probation or extended supervision. The State shall file a lien on defendant's real estate, as appropriate, to secure these restitution amounts.**

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
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CITY-COUNTY BLDG RM GR 10
210 MARTIN LUTHER KING JR BLVD
MADISON WI 53703

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BY THE COURT:

JUDGE: _____ DATE: _____

AMENDED ORDER FOR RESTITUTION

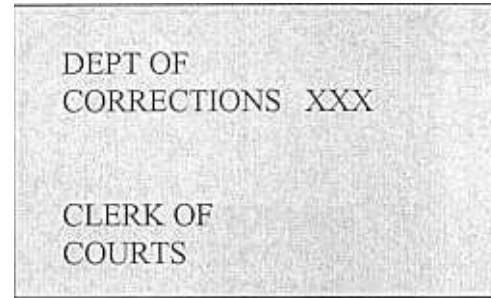
(Attach to the Judgment of Conviction)

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

Court Branch 4

RESTITUTION ORDERED:.....\$ 57,935.75*
ADMINISTRATIVE COSTS:.....\$ 5,793.58
(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

\$ 57,935.75

***Any unpaid restitution at the time of her discharge from probation shall be reduced to a civil judgment. The Department of Corrections, Division of Community Corrections shall enforce a restitution budget during the course of defendant's probation or extended supervision. The State shall file a lien on defendant's real estate, as appropriate, to secure these restitution amounts.**

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.

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BY THE COURT:

JUDGE: _____ DATE: _____

12/12/06

Copy To: Judge, Clerk of Courts, Probation & Parole, Defendant or Defense Attorney, District Attorney