

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH ____

COLUMBIA COUNTY

STATE OF WISCONSIN
17 West Main Street
Post Office Box 7857
Madison, Wisconsin 53707-7857,

Plaintiff,

v.

Case No. 10-CX- 002

DIDION MILLING, INC.
520 Hartwig Blvd.
Post Office Box 400
Johnson Creek, Wisconsin 53038,

Complex Forfeiture: 30109

and

DIDION ETHANOL, LLC
520 Hartwig Blvd.
Post Office Box 400
Johnson Creek, Wisconsin 53038,

Defendants.

JUDGMENT AS TO CLAIMS SIX THROUGH TWENTY-THREE

The plaintiff, State of Wisconsin is a sovereign state of the United States of America, with its principal offices at the State Capitol in Madison, Wisconsin.

Defendant Didion Milling, Inc. ("Didion Milling") is a domestic corporation in the State of Wisconsin that owns and operates a corn milling facility located at 501 South Williams Street, Cambria, Columbia County, Wisconsin 53923. Didion Milling's corporate offices and registered agent, John A. Didion, are located at 520 Hartwig Boulevard, Johnson Creek, Wisconsin 53038.

Didion Ethanol, LLC ("Didion Ethanol") is a domestic limited liability company in the State of Wisconsin that owns and operates an ethanol production facility located in the Town of Courtland, Columbia County, Wisconsin. Didion Ethanol's corporate offices and registered agent, John Didion, are located at 520 Hartwig Boulevard, Johnson Creek, Wisconsin 53038.

Based on the Stipulation between the plaintiff State of Wisconsin and defendants Didion Milling, Inc. and Didion Ethanol, LLC, and on the Court's order, the terms of which are incorporated into this judgment in their entirety, judgment is granted in favor of the plaintiff, State of Wisconsin, and against the defendants Didion Milling, Inc. and Didion Ethanol, LLC as to claims six through twenty-three in the amount of \$525,000. The \$525,000 against defendant Didion Milling, Inc. and Didion Ethanol, LLC is comprised of \$357,206.21 in forfeitures pursuant to Wis. Stat. § 281.98(1), \$92,873.61 for the 26% penalty surcharge under Wis. Stat. § 814.75(18), \$35,720.62 for the 10% environmental surcharge under Wis. Stat. § 814.75(12), \$25.00 in court costs under Wis. Stat. § 814.63(1), \$13.00 for the crime laboratories and drug law enforcement surcharge required by Wis. Stat. § 814.75(3), the \$68.00 court support services surcharge required by Wis. Stat. § 814.75(2), \$3,572.06 for the 1% jail surcharge under Wis. Stat. § 814.75(14), the \$21.50 justice information system surcharge required by Wis. Stat. § 814.75(15), and \$35,500.00 to the Wisconsin Department of Justice for its reasonable and necessary expenses of prosecution under Wis. Stat. § 283.91(5).

The \$525,000 due under this judgment from defendant Didion Milling, Inc. and Didion Ethanol, LLC, for claims six through twenty-three is due and payable in the following payments, without interest:

- a) \$300,000.00 within thirty (30) days of the date of the entry of judgment. Of this amount, \$264,500 shall be by check payable to Columbia County Clerk of Circuit Court and \$35,500.00 for attorneys fees shall be by check payable to the Wisconsin Department of Justice;
- b) \$112,500.00 by check payable to Columbia County Clerk of Circuit Court within one (1) year of the date of the entry of judgment; and
- c) \$112,500.00 by check payable to Columbia County Clerk of Circuit Court within two (2) years of the date of the entry of judgment.

Checks to the Columbia County Clerk of Circuit Court shall be delivered to the clerk of court, Columbia County Courthouse, 400 DeWitt St., Post Office Box 587, Portage, Wisconsin 53901-2132, along with a cover letter to the Court identifying the case by name and number. A copy of the cover letter and check for each of the payments shall be simultaneously mailed as proof of payment to Assistant Attorney General Steven Tinker, Wisconsin Department of Justice, Post Office Box 7857, Madison, Wisconsin 53707-7857.

The terms of the Stipulation and Order for Judgment between the State of Wisconsin and Didion Milling, Inc. and Didion Ethanol, LLC, are incorporated in their entirety.

Dated this 26th day of April, 2010.

BY THE COURT:



Clerk of Court
Columbia County Circuit Court