



U.S. Department of Justice

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Eastern District of Wisconsin*

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May 5, 2008

The Honorable JP Stadtmueller
United States District Court
Eastern District of Wisconsin
517 E. Wisconsin Ave.
Milwaukee, WI 53202

Re: United States of America v. Will J. Sherard, et al.
Case No. 05-C-0486

Dear Judge Stadtmueller:

The United States filed a motion on March 26, 2008, to hold Mr. Sherard and Sherard Realty in civil contempt for failing to comply with the Court's May 2, 2007 order in the above-captioned matter. Mr. Sherard's reply was due on or about April 21, 2008. Mr. Sherard is represented by Attorney Stanley Lind. Since the due date of the motion, I have been in contact with Mr. Lind about Mr. Sherard's response to the motion. While Mr. Lind stated that Mr. Sherard intended to file a response, no such response has been filed to date.

The basis for the United States' motion is that the Consent Decree in this matter requires Mr. Sherard to complete the window replacement and lead-based paint hazard abatement work on the 39 residential properties subject to the Consent Decree by July 2008 and July 2010, respectively. The Court's May 2, 2007, Order further required Mr. Sherard to submit to the Court and the government the name of the contractor who will perform the window replacement and hazard abatement work and an agreement with that contractor no later than November 1, 2007. Mr. Sherard has not submitted the information that was due on November 1, 2007. In addition to violating the Court's Order, this failure makes it highly unlikely that the window replacement work will be completed by the deadline established by the Consent Decree, July 2008.

Prior to filing this motion on behalf of the United States, I was provided with information that Mr. Sherard may be undergoing surgery in the near future for a medical condition that he has known about for approximately one year. He apparently had that surgery on April 16, 2008. A report I received from Mr. Sherard's physician states that Mr. Sherard would be unable to "appear in court for the next 30 days while he recovers."

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Because Mr. Sherard has failed to respond to the United States' motion, I respectfully request that the Court rule on the United States' motion or to set this matter for a hearing. I would also like to advise the Court that I am scheduled to be out of the office on May 20 and 21, 2008. Thank you for your attention to this matter.

Very truly yours,

STEVEN M. BISKUPIC
United States Attorney

By: /s/
STACY C. GERBER WARD
Assistant United States Attorney

SGW:rlf

cc: Attorney Stanley Lind