

1       **A**    No, it was actually a house.

2       **Q**    And did you own that house?

3       **A**    No.

4       **Q**    You rented that house?

5       **A**    Yes.

6       **Q**    Who did you rent it from?

7       **A**    I rented it from Stacie Happel.

8       **Q**    And did there come a time when Stacie Happel came  
9           to the house looking for tools?

10      **A**    Yes, it did.

11      **Q**    And do you have a specific recollection of that  
12           day?

13      **A**    Yes, I do.

14      **Q**    And what caused you to have that specific  
15           recollection?

16      **A**    Because she got stung by a bee.

17      **Q**    And did anything else occur for the first time  
18           when she came out there?

19      **A**    Yes.  Yes, she meet my wife for the first time.

20      **Q**    And what was the purpose of Stacie Happel coming  
21           out to the house you lived in in Mequon?

22      **A**    She called me and she said hey, Mike, my parents  
23           are going to be coming down.  Me and Stacie had  
24           dealings before then, and she really wanted to  
25           impress her parents with the new house she had.

1 She said in looking at the backyard her dad is  
2 going to have a fit, so she said that at the  
3 closing. When she acquired the property in  
4 Mequon, she stated that the gentleman who sold  
5 her the house said that in the tool shed there  
6 are a lot of tools, he just wanted to let her  
7 know that there could be something that can be  
8 helpful. So she asked me could she come out  
9 there to look at the tools and possibly take some  
10 to go back to do landscaping at the property on  
11 Fiebrantz.

12 **Q** Was there a shed at the house in Mequon?

13 **A** Yes.

14 **Q** And were you aware of whether or not there were  
15 tools in that shed?

16 **A** I think there were tools there.

17 **Q** And when you sold the house to Stacie Happel, the  
18 concrete slabs would have been discussed, the  
19 slabs in the backyard?

20 **A** Yes.

21 **Q** Were you aware of the condition of those slabs?

22 **A** Yes.

23 **Q** And what was the condition, as best you can  
24 recall?

25 **A** Actually, they were very ugly. She stated one of

1 the slabs had a big crack in it, it was kind of  
2 buckled up.

3 Q And were you responsible for those slabs being  
4 placed down there?

5 A No.

6 Q Do you recall the testimony about holes being dug  
7 in the backyard?

8 A Yes.

9 Q And did you care one way or the other whether  
10 holes were dug in the yard?

11 A Not at all.

12 Q Do you know who put the slabs down in the  
13 backyard?

14 A No.

15 Q Did you care?

16 A I did not care.

17 Q Let me ask this generally speaking with regard to  
18 4900, did you have a particular concern about the  
19 property other than collecting the rent?

20 A None whatsoever, just collecting the rent.

21 Q So did Stacie Happel, after that phone call, come  
22 out to the Mequon property?

23 A Yes, she did.

24 Q And when she came out there, did you give her any  
25 tools?

1       **A**   Actually, yes, she came out there, we looked in  
2           the garage, then we looked around to the shed.  
3           She asked me what tools did I suggest, and we  
4           looked at a few tools.  Actually, I picked up the  
5           tools and carried them out to her car for her.  
6       **Q**   Did you suggest any tools to her?  
7       **A**   Yes.  
8       **Q**   And what type of tools did you suggest?  
9       **A**   There was one tool in particular that was like --  
10          I'm saying sledgehammer, but it had points on the  
11          end.  I told her that this might be a good tool  
12          to kind of hit the concrete to bust it open.  
13       **Q**   Like one of those pickaxes?  
14       **A**   Yes.  
15       **Q**   And you suggested to her this might be a good  
16          tool for breaking up the concrete?  
17       **A**   Yes, sir.  
18       **Q**   Do you know what was going to happen?  
19       **A**   Yes.  
20       **Q**   Did you care?  
21       **A**   No, it was not my house.  
22       **Q**   When talking before the concrete, you're talking  
23          about the slabs in the backyard?  
24       **A**   Yes.  
25       **Q**   Now, subsequent to that -- and when I say

1           subsequent to that, after Stacie Happel had  
2           gotten tools and you placed them in her car, do  
3           you get a call from her about anything in the  
4           backyard?

5           **A**    Yes.

6           **Q**    And what do you know?

7           **A**    I was at work, and at the time Stacie also worked  
8           for me at a company that was co-owned. She  
9           called me and she said, Mike, my boyfriend just  
10          notified me that there's possible bones or  
11          something in the backyard.

12          **Q**    And what did you say?

13          **A**    Actually, at first when she said there was  
14          possible bones, I really kind of thought it was  
15          dog bones because of the tenants that lived there  
16          that had several dogs. Then she stated to me,  
17          no, it's not dog bones, I believe these are human  
18          bones. I told her well, Stacie, you calling the  
19          wrong person, you need to either call the police  
20          or go across the street to the fire department  
21          and inform them of what you just told me.

22          **Q**    And the fire department you're referring to, the  
23          fire station that was across the street on the  
24          other side of Fiebrantz?

25          **A**    Yes.