



Mary Wiegand <marywiegand71@gmail.com>

Tuesday

24 messages

Mary Wiegand <marywiegand71@gmail.com>

Tue, Apr 25, 2023 at 9:17 AM

To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

I have a pre-surgery appt at 9:45. My surgery is supposed to Wed the 3rd.

Here are some questions/concerns-

How did I benefit? Why would I forge checks for purchases for PVLA?

I have been nothing BUT cooperative with the State. I was wanting to go to trial last status hearing, but I agreed to a continuance to give the State time to look over the new invoices- and they still needed more time. I was wanting several people for depositions, but the State did not want too- threatening me with more charges, so I declined the depositions. The State has been provided with everything they asked for, yet I have not.

A lot of the websites that I purchased from only let me go back 2-3 yrs for purchase history, plus PVLA changed email and passwords on these sites.

You told me yesterday that they need to prove w/out a reasonable doubt, and the paperwork Jose gave you is their proof. So now I only get one day to look it over and no time to discuss!

I have been nothing but cooperative with the State, but they have not worked with us.

William M. Kurtenbach <wmk@lawofficeofwmk.com>

Tue, Apr 25, 2023 at 1:12 PM

To: Mary Wiegand <marywiegand71@gmail.com>

Mary-

I understand your complaints and share your frustrations. I will be using all of that information in the final stages of negotiations with the State.

I've attached to you the documents that I briefly showed you yesterday. Please review them, especially the spreadsheet with the notes regarding purchases. It is important to remember that the sample plea agreement and sample stipulated facts are just that – a sample. Jose left me a voicemail around 12:30 stating that he's finalizing his review. I intend to call him and urge him to hurry his review along so that we can see what the state's formal offer will be.

What I know so far about the state's impending proposal:

1. It will include a request that we stipulate to an amount of restitution
2. It will include a felony count
3. It will include a count of theft and a count of forgery
4. It will include the states agreement to recommend probation, but also a request that probation include jailtime
 - a. With regard to jailtime, the state will be requesting that part of the jailtime be served up front while part of the jailtime will be waivable, meaning that as long as you are complying with probation, you would not have to serve the waivable portion of jail

What we don't know

1. What amount of restitution the state will be seeking
 - a. It is important to note that we have the right to a restitution hearing, meaning that if we can not agree to an amount of restitution, we can in turn have the court determine the amount of restitution.
 - b. In that same sense, we could reach a partial restitution agreement, meaning that if we believe the restitution amount should be *X* and the state says it should be *Y*, then we can let the judge know that the restitution amount he should consider should only be between *X* and *Y*. This essentially caps the restitution at the state's limit of *Y*, potentially minimizing your exposure with regard to restitution.
2. Which felony count the state will propose
3. Which forgery count the state will propose

Please begin reviewing the documents I've attached. I will call you as soon as I have any more information.

Respectfully,

William M. Kurtenbach | Attorney at Law



Law Office of William M. Kurtenbach

Phone: (402) 249-5154

Fax: (402) 564-9857

lawofficeofwmk.com

Mailing Address: P.O. Box 785, Columbus, NE 68602

Physical Address: 1359 26th Avenue, Columbus, NE 68601

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3 attachments

JRL Notes on Purchases from client.pdf
2070K



Sample Plea Agreement - State v. Kouma.pdf
160K



Sample Stipulation of Facts - State v. Kouma.pdf
262K

Mary Wiegand <marywiegand71@gmail.com>
To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

Tue, Apr 25, 2023 at 1:29 PM

THIS IS BULLSHIT!!!! I have said over and over and over that I do not have all the invoices!!!! I have not gotten anything from 2018 nor 2022 (except receipts for 1 check!) Even for 2018- I can prove the canopy purchase by looking at the description and matching it to the canopy. The invoice from 8/23/18 yes it does say replacement - FOR 3 Books!! The \$199.25 was for the 25 books!
I can go on and on about these invoices. I need time to go over each of them!

[Quoted text hidden]

Mary Wiegand <marywiegand71@gmail.com>
To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

Tue, Apr 25, 2023 at 2:49 PM

Here is what I have found so far regarding some of the comments from Sylvia. I can't believe I have less than a day to figure this all out! Those checks that say are padded- I am missing invoices that go along with the check. I did not pad any checks!

[Quoted text hidden]

2 attachments

notes from 4-25.docx
364K



Amazon invoice.pdf
689K

William M. Kurtenbach <wmk@lawofficeofwmk.com>
To: Mary Wiegand <marywiegand71@gmail.com>

Tue, Apr 25, 2023 at 2:58 PM

Can you send me the actual invoices for 8/23/2018, 3/19/2019 and 4/4/2019?

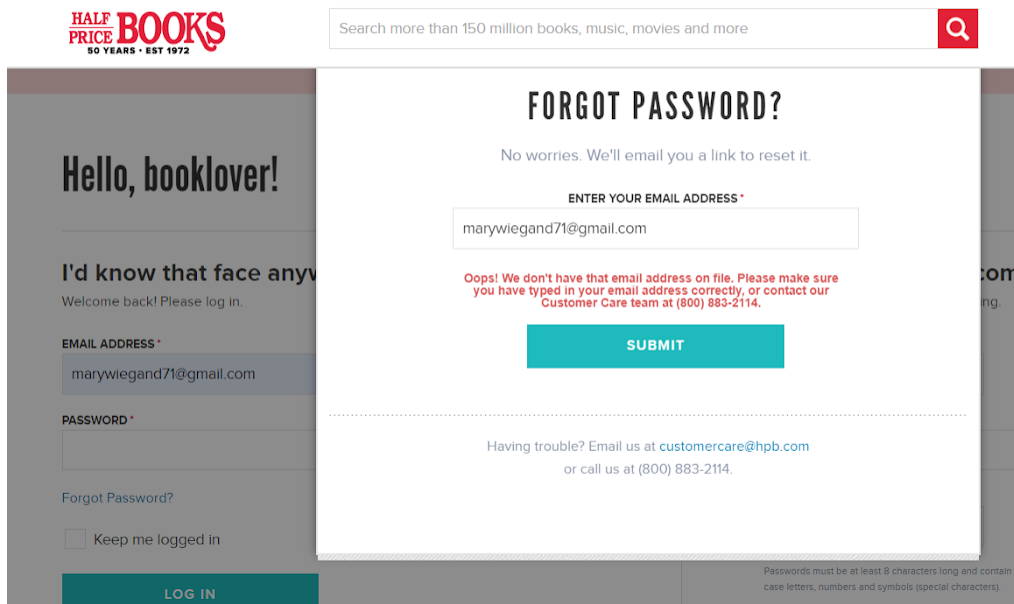
With regard to the email address and password for half price books, was the log-in information under your email/password? If it is, I don't know how they would have changed the password.

[Quoted text hidden]

Mary Wiegand <marywiegand71@gmail.com>
To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

Tue, Apr 25, 2023 at 3:11 PM

Half price books using my personal email:



I used my pvla email (mwiegand.pvla@gmail.com) and what I thought was my password and I could not get in. I also used my CCC address (marywiegand@cccneb.edu) and it says they do not have that email address on file.

[Quoted text hidden]

 **2 amazon invoices.pdf**
1391K

Mary Wiegand <marywiegand71@gmail.com>
To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

Tue, Apr 25, 2023 at 3:12 PM

They could have changed it for they had access to my passwords. I don't know when I was in there to print these off

[Quoted text hidden]

Mary Wiegand <marywiegand71@gmail.com>
To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

Tue, Apr 25, 2023 at 3:19 PM

8/30/18 comment: "This was for the purchase of a pop up canopy according to the receipt that was provided by the Defendant; however, the PVLA board doesn't understand why this was purchased for the PVLA and the PVLA already had a pop up canopy. They believe this was a personal purchase."

This purchase I am sure should be in the minutes. We had a smaller white canopy that was really hard to set up and one of the legs was bent, so I bought a new one. I sold the white one and deposited that money into PVLA. The description of the canopy on the invoice will match the canopy.

[Quoted text hidden]

 **canopy invoice.pdf**
730K

William M. Kurtenbach <wmk@lawofficeofwmk.com>
To: Mary Wiegand <marywiegand71@gmail.com>

Tue, Apr 25, 2023 at 5:26 PM

This is the initial offer from the state.

Please review it and make notes that you wish for me to use in responding to the initial offer. When you have all of your notes regarding the offer, please email me back those notes in one email.

So far my notes include:

- Mary has been nothing but cooperative with the state
 - Freely spoke to Inv. Strecker
 - Wanted to set matter for trial last term, but allowed it to be continued so the state could review invoices
 - Forewent having a preliminary hearing, both initially and upon filing of the amended information
 - Forewent deposing members of the PVLA
- We haven't been provided with stubs or other key financial documents
 - No check stubs for 2018 and 2022
 - No original copies of the monthly reconciliation documents for all of 2018, March-December 2021, and January-May 2022
- Still missing requested folders, including
 - 2022 invoice folder
 - "book order" folder
 - "teacher req" folder

Finally, the most important question is what amount of restitution would you be able to pay? We will drive the number as low as we can, but even the numbers that I had gone through came to a restitution amount of \$51,369.74 over the course of the 5 years and \$20,052.54 if 2018 and 2022 are excluded. If you disagree with those numbers, please let me know that as well.

It is going to be a late night of working through this new information. I should be available by email or text line. If you try calling, it will automatically go to voicemail as it is after business hours.

The fight is not over yet.

Respectfully,

William M. Kurtenbach | Attorney at Law



Law Office of William M. Kurtenbach

Phone: (402) 249-5154

Fax: (402) 564-9857

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From: Mary Wiegand <marywiegand71@gmail.com>
Sent: Tuesday, April 25, 2023 3:20 PM
To: William M. Kurtenbach <wmk@lawofficeofwmk.com>
Subject: Re: Tuesday

8/30/18 comment: "This was for the purchase of a pop up canopy according to the receipt that was provided by the Defendant; however, the PVLA board doesn't understand why this was purchased for the PVLA and the PVLA already had a pop up canopy. They believe this was a personal purchase."

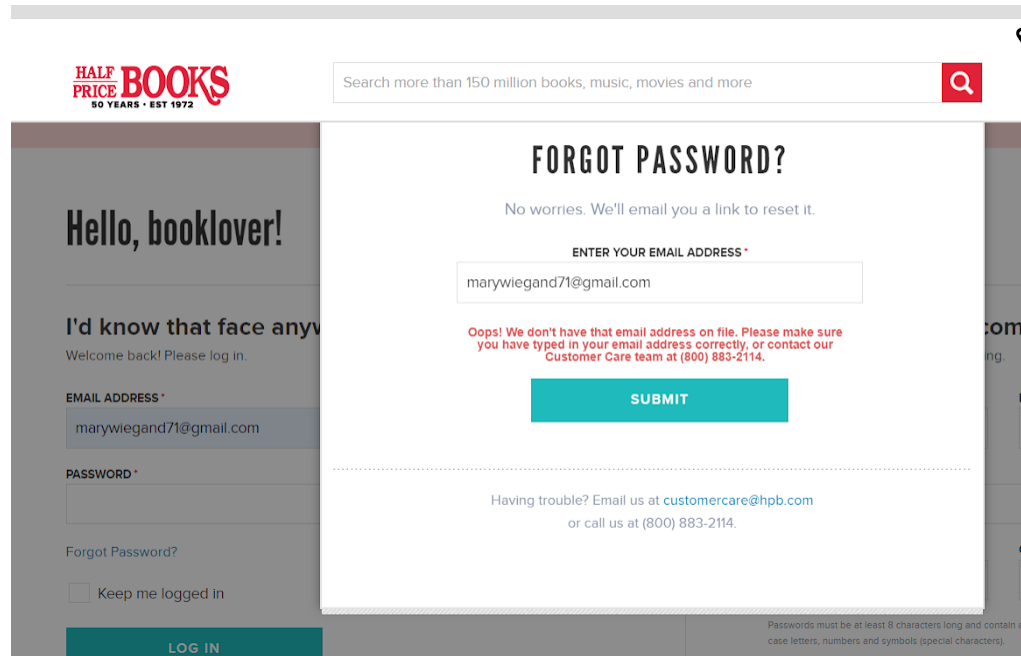
This purchase I am sure should be in the minutes. We had a smaller white canopy that was really hard to set up and one of the legs was bent, so I bought a new one. I sold the white one and deposited that money into PVLA. The description of the canopy on the invoice will match the canopy.

On Tue, Apr 25, 2023 at 3:12 PM Mary Wiegand <marywiegand71@gmail.com> wrote:

They could have changed it for they had access to my passwords. I don't know when I was in there to print these off

On Tue, Apr 25, 2023 at 3:11 PM Mary Wiegand <marywiegand71@gmail.com> wrote:

Half price books using my personal email:



[Quoted text hidden]

[Quoted text hidden]

William M. Kurtenbach <wmk@lawofficeofwmk.com>
 To: Mary Wiegand <marywiegand71@gmail.com>

Tue, Apr 25, 2023 at 5:39 PM

Here is the updated list from the county attorney as well. I'm finishing up my review but wanted to provide to you.

Respectfully,

William M. Kurtenbach | Attorney at Law



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JRL Notes on Purchases from client (updated).pdf
409K

Mary Wiegand <marywiegand71@gmail.com>
To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

Tue, Apr 25, 2023 at 6:28 PM

Ok, There are several items that are requesting the full invoice. I will try really hard to provide them. Again, I do not want to sound like a broken record, but I have not been given anything for 2018 except for bank statements.
2022- was never given any invoices
Still needing the laptop, Book order folder, teacher req folder and grants folder.
I will send you what I find.
Here it is at 6:30 the night before court, and I will be gone tomorrow morning. I guess I will stay up as long as I need to to get this done.

[Quoted text hidden]

William M. Kurtenbach <wmk@lawofficeofwmk.com>
To: Mary Wiegand <marywiegand71@gmail.com>

Tue, Apr 25, 2023 at 8:05 PM

Yes, we haven't been given any invoices for 2018 or 2022 which is what we are going to use as bargaining to have those years disregarded with respect to any restitution.

As we discussed with regard to the laptop, we could have requested that it be produced as part of depositions but decided to forego depositions in hopes of more favorable plea negotiations with the county attorney.

Yes, we have not been provided with the book order folder or the teacher req folder, as I noted in my original email. At this point we have to prepare as though they are going to say those folders never existed. This means that should this proceed to trial you will have to testify and you will have to testify to their existence. As for grants, upon reviewing the hundreds of pages of discovery again, I have found a few of the grants such as the Humanities Grant of \$2,500 from November 2020. This does lead me to believe that the grant folder was in some form included into the discovery.

Attached is the latest version of the numbers I've run through. On the far right column is my newest notes.

[Quoted text hidden]

2 attachments **220823 Wiegand Mary Data Table.xlsx**
103K **Humanities grant for \$2,500.pdf**
37K

William M. Kurtenbach <wmk@lawofficeofwmk.com>
To: Mary Wiegand <marywiegand71@gmail.com>

Tue, Apr 25, 2023 at 8:23 PM

2018 reconciliation documents were hiding in the discovery as well. Was able to filter them from the surrounding documents.

[Quoted text hidden]

3 attachments **Bank Statements 2018.pdf**
5301K **MH Copies 2018.pdf**
562K **Original Copies 2018.pdf**
431K

Mary Wiegand <marywiegand71@gmail.com>
To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

Tue, Apr 25, 2023 at 9:07 PM

What report/tab are you referring too?

I NEVER was aware that producing the laptop was part of the deposition. I need that laptop. There are so many files, emails, reports on there that I need. Were you given copies of the contents of the GRANTS folder? Was there a bunch of invoices for books in there?

I think it is BULLSHIT that they are going to say those folders NEVER existed! I am beyond PISSED. I started crying once I received your first email from Jose. I KNEW that was going to happen- that PVLA would get a chance to look over all the invoices and I am not given any decent time to look this over. Sylvia has no idea where these files are at??? Didnt she tell you that she thought she gave them to Doug when I was still in the hospital. Sylvia have a clue!

There were some 2022 invoices (from January) that were sent over. Where are the rest??

Bargaining tool?? Seriously?

[Quoted text hidden]

Mary Wiegand <marywiegand71@gmail.com>
To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

Tue, Apr 25, 2023 at 9:15 PM

My ebay history only lets me go back to 2021,

Oriental Trading only lets me go back to 2019 but it says no history. I have found invoices with the paperwork from OTC with 2019 date.

I cannot find any of the large book orders. New Readers Press is only showing the last order- and that was from a grant. There are a couple of invoices from NRP in the paperwork, but I cannot find them online

Missing:

Hyvee receipts, invoices for supplies for Columbus Days, receipts for notebooks for Behlens ESL classes as well as the Vishay ESL class (wal-mart), invoices for Columbus Custom Embroidery for pullovers, receipts for t-shirts I ordered for the parade. From Specialty Tee, receipts for places like Menards. I purchased some 6' folding tables there. receipts from Walmart for supplies like notebooks, pencils, markers, erasers- bought in July/Aug every year

How in the hell do I prove these exist???

Cannot get into:

New Readers Press

Aztec Software
Pearson.com
PVLA email
CCC email

[Quoted text hidden]

William M. Kurtenbach <wmk@lawofficeofwmk.com>
To: Mary Wiegand <marywiegand71@gmail.com>

Tue, Apr 25, 2023 at 9:39 PM

The important tabs to look at are the tabs that have (2) at the end.

At our in person meeting on February 16, we discussed the ability to have depositions, what the depositions would entail (including requesting that the deponent produce the laptop), and the ramifications of proceeding with depositions (the county attorney refusing to extend a plea offer in this case).

Sylvia told me that she left a few personal items at your house while you were in Norfolk shortly after the incident. She did not say that the files that we requested were included with those personal affects. I don't believe she would have left those folders at your house unattended either.

With regard to any missing invoices, all that can be said at this point is that they will maintain they have provided everything to law enforcement, and that everything available was in turn provided to us. Again, this means that should this proceed to trial you will have to testify and you will have to testify to their existence.

I do believe that we would have a non-negligible chance of convincing the jury that the signatures were not forged. The signatures from legitimate check to legitimate check are not nearly as consistent as the county attorney will portray. I do believe we will have a more difficult time causing the jury to believe that you made roughly \$20,000+ in legitimate purchases on behalf of the PVLA every year. I also believe we will have a very difficult time explaining the record keeping that was going on, and by that I mean the glaring discrepancies that exist between the original reconciliation documents and the revised versions produced by Mueller. We would also have to try to counter or explain how the PVLA's bank account was able to go into the red for a brief period of time in June 2019 when the reconciliation documents presented to the board showed roughly \$50,000 in the positive.

Finally, I relistened to the interview with Strecker again. There is bad evidence in there, evidence that we in all likelihood will not be able to keep out.

- He lets you know that he is an officer, that you are not in custody, and that you don't have to talk to him
- You admit that you took money from the PVLA
- You state that you knew it was wrong
- You tell him that you knew they were suspecting something when Jordan Mueller called you
- You bargain with Strecker to have this kept out of the public eye
- You confess to the PVLA board members that join for the last part of the interview
- You bargain with the PVLA board members to not press charges and keep out of the public eye

With this recording coming into evidence, we will have a very difficult time explaining that it was not an earnest confession and instead the result of panic and coercion.

If you would like to discuss further on the phone, please let me know via email and I will call you.

Respectfully,

William M. Kurtenbach | Attorney at Law



Law Office of William M. Kurtenbach

Phone: (402) 249-5154

Fax: (402) 564-9857

lawofficeofwmk.com

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[Quoted text hidden]

 **220823 Wiegand Mary Data Table.xlsx**
103K

Mary Wiegand <marywiegand71@gmail.com>
To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

Tue, Apr 25, 2023 at 9:44 PM

I am not going to Norfolk tomorrow, for I figured that I would no way be back my 11:00. My mother in law found someone else to take her.

Can you call me tomorrow morning sometime? Or when can we meet?

[Quoted text hidden]

William M. Kurtenbach <wmk@lawofficeofwmk.com>
To: Mary Wiegand <marywiegand71@gmail.com>

Tue, Apr 25, 2023 at 9:50 PM

8:00 if you can be here at that time.

[Quoted text hidden]

Mary Wiegand <marywiegand71@gmail.com>
To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

Tue, Apr 25, 2023 at 9:51 PM

Yes I will meet you at your office at 8:00 am. I am still working on getting invoices per the State's request. Do you want me to send those to you yeet tonight, or just wait and give them to you tomorrow?

[Quoted text hidden]

William M. Kurtenbach <wmk@lawofficeofwmk.com>
To: Mary Wiegand <marywiegand71@gmail.com>

Tue, Apr 25, 2023 at 10:09 PM

If you can send them tonight, please do.

I have a phone call scheduled for 9:30 so we may have to take a break if we are still discussing your case at that time.

[Quoted text hidden]

Mary Wiegand <marywiegand71@gmail.com>
To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

Tue, Apr 25, 2023 at 11:46 PM

I never got the initial offer from the State. Just your email listing what you said to the State

I am still working on the invoices. I am almost done!

[Quoted text hidden]

Mary Wiegand <marywiegand71@gmail.com>
To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

Wed, Apr 26, 2023 at 12:06 AM

I have found all that I can with what I have. Let me know what else you need. Ill be up for a while longer. Still have more to do

[Quoted text hidden]

2 attachments



Notes from Jose'e report.docx
16K



Jose notes invoices.pdf
5908K

Mary Wiegand <marywiegand71@gmail.com>
To: "William M. Kurtenbach" <wmk@lawofficeofwmk.com>

Wed, Apr 26, 2023 at 12:49 AM

OK, last email for the night.
I am missing all the board meeting minutes.
Again, there are lots of invoices that are missing. (Hy-vee, Special Tee, etc)
Need to know what the official plea agreement is.
I will see you at 8:00 am tomorrow
[Quoted text hidden]

William M. Kurtenbach <wmk@lawofficeofwmk.com>
To: Mary Wiegand <marywiegand71@gmail.com>

Wed, Apr 26, 2023 at 6:32 AM

Here is the initial proposed plea agreement from the state. It was supposed to be included on the email sent at 5:26 p.m. I was unaware that it was not included until your email at 11:46 p.m.

I reviewed it yesterday, but we will review together this morning.

It does include those items that I detailed in my email at 1:12 p.m. yesterday, namely:

1. A request to stipulate to restitution
2. A felony count (actually two felony counts)
3. A count of theft and a count of forgery
4. An agreement by the state to recommend probation with some up front jail time

I will see you at 8:00 a.m.

Respectfully,

William M. Kurtenbach | Attorney at Law

Law Office of William M. Kurtenbach

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From: Mary Wiegand <marywiegand71@gmail.com>
Sent: Wednesday, April 26, 2023 12:49:57 AM
To: William M. Kurtenbach <wmk@lawofficeofwmk.com>
Subject: Re: Tuesday

[Quoted text hidden]

6/6/24, 10:08 AM

Gmail - Tuesday



230425 Proposed Plea Agreement from County Attorney.pdf

172K