

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NEUROSCIENCE, INC. and
PHARMASAN LABS, INC.,

Plaintiffs,

v.

RICHARD T. FORREST and
CERULEAN INVESTMENTS,
INCORPORATED,

Defendants.

ORDER

12-cv-813-bbc

A hearing on the motions of plaintiffs Neuroscience, Inc. and Pharmasan Labs, Inc. for entry of default judgment against defendants Richard T. Forrest and Cerulean Investments, Incorporated was held on June 2, 2014. Plaintiffs appeared by Pamela Nissen and Henry Helgen, III. There were no appearances on or behalf of defendants, both of whom were in default. (The court entered default judgment against Richard T. Forrest in an order entered February 21, 2014. The clerk of court had entered default against defendant Cerulean Investments, Incorporated on May 30, 2014.)

Plaintiffs presented evidence that defendant Forrest had converted proceeds belonging to plaintiffs by (1) intercepting 745 laboratory request forms and routing the claims for payment for the services, using the United States mails and directing the payments to be made to Cerulean, a company he formed and controlled; (2) on at least two occasions stealing

property from plaintiffs' warehouse, selling it and retaining the proceeds for his own use; and (3) engaging in a pattern of racketeering activity using Cerulean Investments, Incorporated, in violation of 18 U.S.C. § 1964. The damages accruing from the interception of the laboratory request forms amounted to \$156,552.50 and the damages from the theft of property amounted to \$33,000. Trebling the damages for the interception of the laboratory requests under § 1964 makes the damages for this claim \$469,657.50. Added to the \$469,657.50 are the loss from theft of \$33,000, making the combined loss \$502,657.50, plus interest of \$45,819.82 (calculated at 5% a day for 646 days for the interception of laboratory request forms and at 5% a day for 1022 days for the first theft charge and for 802 days for the second charge), for a total award of \$548,477.32.

ORDER

IT IS ORDERED that plaintiffs Neuroscience, Inc. and Pharmasan Labs, Inc. are awarded damages in the amount of \$548,477.32 against defendants Richard T. Forrest and Cerulean Investments, Incorporated, who are in default. The clerk of court is directed to enter default judgment against both defendants accordingly and close this case.

Entered this 2d day of June, 2014.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge