

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA,

Plaintiff,

vs.

CHAD MICHAEL WITTER,  
DENNIS BROUSE,

Defendants.

CRIMINAL NO. \_\_\_\_\_

TRIAL INFORMATION

IOWA DISTRICT COURT

JAN 10 PM 3:16

POLK COUNTY IA.

FILED

COMES NOW Thomas Henry Miller, Robert Howard Sand, and Justin Allen, as prosecuting attorneys, and in the name and by the authority of the State of Iowa accuse Chad Michael Witter and Dennis Brouse, as principals or as aiders and abettors, or acting in joint criminal conduct, of committing the following crimes:

**As to Both Defendants,**

- COUNT 1 FRAUDULENT PRACTICE IN THE FIRST DEGREE, in violation of §15A.3 of the Iowa Code.** On or about April 2008 through April 2009, the defendants engaged in deception and knowingly made or caused to be made, directly or indirectly, a false statement or statements in writing, for the purpose of procuring economic development assistance from a state agency for the benefit of themselves and a film making entity called Changing Horses. (A CLASS C FELONY)
- COUNT 2 THEFT IN THE FIRST DEGREE, in violation of §§714.1(1), 714.1(2), and 714.1(3) of the Iowa Code.** During March, 2008 through September 2009, the defendants in the County of Polk and State of Iowa did take possession of property exceeding \$10,000 in value, belonging to the State of Iowa, by unlawfully reporting fraudulent or inflated spending claims for tax credits in relation to the film making entity doing business as Changing Horses. (A CLASS C FELONY)
- COUNT 3 ONGOING CRIMINAL CONDUCT, in violation of §§706A.4, 706A.2(4), 706A.2(2)(h), 706A.2(2)(i), and 706A.2(2)(j) of the Code of Iowa.** The defendants on or about March 2008 through September 2009, in the County of Polk and State of Iowa did commit specified unlawful activity by committing acts for financial gain on a continuing basis, that are punishable as indictable

offenses under the laws of the State of Iowa, to wit: fraudulent practices in the first degree, and theft in the first degree. (A CLASS B FELONY)

As to Defendant Witter,

**COUNT 4 THEFT IN THE FIRST DEGREE, in violation of §714.1(1), §714.1(2), §714.1(3), and §714.2(1) of the Iowa Code.** On or about December 2008 and January 2009, in the county of Polk and State of Iowa, the defendant Chad Michael Witter did take possession of property exceeding ten thousand dollars in value belonging to the State of Iowa, with the intent to deprive the owner thereof, by unlawfully reporting inflated values on applications for tax credits in relation to the film "The Scientist." (A CLASS C FELONY)


**COUNT 5 FRAUDULENT PRACTICE IN THE FIRST DEGREE, in violation of §15A.3 and §714.8(4) of the Iowa Code.** Between July of 2008 through September of 2009, in the county of Polk and State of Iowa, the defendant Chad Michael Witter, as an aider and abettor, engaged in deception and knowingly made or caused to be made, directly or indirectly, false statements in writing, for the purpose of procuring economic development assistance from a state agency, for the benefit of Polynation Pictures, Inc., and related persons and entities. (A CLASS C FELONY)

We have made a full and careful investigation of the facts upon which this information is based and have determined under the authority of section 13.4 of the Code of Iowa and pursuant to rule 2.5(1) of the Rules of Criminal Procedure that a criminal prosecution is warranted in this matter.

A TRUE INFORMATION,

THOMAS J. MILLER  
Attorney General of Iowa

By: \_\_\_\_\_  
THOMAS HENRY MILLER AT0005416  
Deputy Attorney General in and for the  
State of Iowa

By:   
ROBERT HOWARD SAND AT0010489  
Assistant Attorney General in and for the  
State of Iowa

JOHN P. SARCONI  
Polk County Attorney

By: \_\_\_\_\_  
JUSTIN G. ALLEN AT0000409  
Assistant County Attorney in and for Polk  
County, Iowa

On this \_\_\_\_\_ day of \_\_\_\_\_, 2011, I find that the evidence contained in the Trial Information and the minutes of testimony, if unexplained, would warrant a conviction by the trial jury.

\_\_\_\_\_  
JUDGE

Copy of Information and minutes received this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Defendant/Attorney for Defendant

**WITNESSES**

Don Dursky, IDEED, 200 E. Grand Ave., Des Moines, IA  
Matt Clifton, DPS, 2006 S. Ankeny Blvd, Ankeny, IA  
Matt Sauer, DPS, 2006 S. Ankeny Blvd., Ankeny, Iowa  
Michael Tramontina, 4819 Waterbury Road, Des Moines, IA  
Vincent Lintz, 7114 Franklin Ave., Windsor Heights, IA  
Amy Johnson, 1421 43<sup>rd</sup> St., Des Moines, IA  
Matthias Saunders, 3367 Columbia Trace, Decatur, GA  
Chad Pierce or Jennifer Hancock, American Quarter Horse Ass'n, 1600 Quarter Horse Drive, Amarillo, TX  
Jen Henderson, Debra Correll or Jill Pearson, Cargill, 12900 Whitewater Drive, MS 14, Minnetoka, MN  
Eric Thompson or Theresa Cannavo, Kent Feeds, 1600 Oregon St, Muscatine, IA  
Vivian Ferrell, Fund for Horses, Houston, TX  
John Hall, Featherlite Inc., PO Box 320, Hwy 63 & 9, Cresco, IA  
Nathaniel Kinnetz, Stew Hansen Auto, 12103 Hickman Road, Des Moines, IA  
Ken Bright, Toyota of Des Moines, 4475 Merle Hay Road, Des Moines, IA  
Skipp Jacobson, Lujack's Northpark Auto Plaza, 3700 N Harrison St, Davenport, IA  
Brian Gonder, Central Iowa Featherlite, 1605 Garfield St NE, Bondurant, IA  
Joe Hotchkin, Noble Ford, 2406 N. Jefferson, Indianola, IA  
Rick Pack, National Sponsorship Group, 1623 Bridgegate St., Westlake Village, CA

This information, together with the minutes of testimony relating thereto, is duly filed in the District Court.

This \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Clerk of the Polk County District Court  
of the State of Iowa

By

\_\_\_\_\_  
Deputy Clerk

REVIEW BY JUDGE

On the \_\_\_\_\_ day of \_\_\_\_\_, 2011, I find that the evidence contained in the within Trial Information and Minutes of Evidence, if unexplained, would warrant a conviction by the trial jury, and being satisfied from the showing made herein that this case should be prosecuted by Trial Information the same is approved.

\_\_\_\_\_ Clerk of Court shall issue an arrest warrant.

\_\_\_\_\_ Clerk of Court shall issue a summons for Defendant to Appear.

\_\_\_\_\_ Bond is set in the amount of \$ \_\_\_\_\_.

\_\_\_\_\_ Bond may be unsecured.

\_\_\_\_\_ Bond must be cash.

\_\_\_\_\_ 10% cash may be posted.

\_\_\_\_\_ Bond previously set shall continue.

\_\_\_\_\_ Defendant is released on personal recognizance.

\_\_\_\_\_ THE DEFENDANT IS ORDERED TO APPEAR FOR ARRAIGNMENT AT:

place \_\_\_\_\_

date \_\_\_\_\_

time \_\_\_\_\_

\_\_\_\_\_  
DISTRICT JUDGE