

JUDGE EVENSON

Kevin R. Calkins

STATE OF WISCONSIN

CIRCUIT COURT

SAUK COUNTY

STATE OF WISCONSIN,

Plaintiff,

CRIMINAL COMPLAINT

Vs.

FILED

Court Case No. 2014CF 347

THERESA S. STRUB, DOB 12/11/1984
F/K/A THERESA S. KANABLE
333 SOUTH ASH ST
LONE ROCK, WI 53556,

OCT 15 2014

Agency No. 14-03359

Sauk Co., WI Circuit Court ATN:

Defendant.

Complainant, having been sworn, states:

Count 1: THEFT - FALSE REPRESENTATION (> \$5000) - PARTY TO THE CRIME: On and about July 12 through 29, 2013, in the City of Baraboo, in Sauk County, Wisconsin, the defendant, as a party to the crime, did obtain more than \$5000 from multiple individuals, by intentionally deceiving them with a false representation which she knew to be false, made with intent to defraud and which defrauded the persons, contrary to sec. 943.20(1)(d)&(3)(bm) and 939.05 Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

Count 2: THEFT - FALSE REPRESENTATION (> \$2500) - PARTY TO THE CRIME: During August 2013, in the Town of Spring Green, in Sauk County, Wisconsin, the defendant, as a party to the crime, did obtain more than \$2500 from Culver's and others, by intentionally deceiving them with a false representation which she knew to be false, made with intent to defraud and which defrauded the persons, contrary to sec. 943.20(1)(d)&(3)(bf) and 939.05 Wis. Stats., a Class I Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and six (6) months, or both.

Count 3: THEFT - FALSE REPRESENTATION (> \$10,000) - PARTY TO THE CRIME: On and about November 02, 2013, in the Village of Spring Green, in Sauk County, Wisconsin, the defendant, as a party to the crime, did obtain more than \$10,000 from Arthur's Restaurant and others, by intentionally deceiving them with a false representation which she knew to be false, made with intent to defraud and which defrauded the persons, contrary to sec. 943.20(1)(d)&(3)(c), 939.50(3)(g), 939.05 Wis. Stats., a Class G Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

Count 4: THEFT - FALSE REPRESENTATION (> \$2500) - PARTY TO THE CRIME: On December 20, 2013, in the Village of Spring Green, in Sauk County, Wisconsin, the defendant as a party to the crime, did obtain more than \$2500 from John Kaul, by intentionally deceiving

him with a false representation which she knew to be false, made with intent to defraud and which defrauded the person, contrary to sec. 943.20(1)(d)&(3)(bf) and 939.05 Wis. Stats., a Class I Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and six (6) months, or both.

Count 5: THEFT - FALSE REPRESENTATION (> \$2500) - PARTY TO THE CRIME: On and between November, 2013 and February 2014, in the Village of Spring Green, in Sauk County, Wisconsin, the defendant, as a party to the crime, did obtain title to property of 4PeteSake, having a value of greater than \$2500, by intentionally deceiving the person with a false representation which she knew to be false, made with intent to defraud and which defrauded the person, contrary to sec. 943.20(1)(d)&(3)(bf) and 939.05 Wis. Stats., a Class I Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and six (6) months, or both.

Count 6: ATTEMPTED THEFT - FALSE REPRESENTATION (>\$10,000) - PARTY TO THE CRIME: On and about March 07, 2014, in the Village of Spring Green, in Sauk County, Wisconsin, the defendant, as a party to the crime, did attempt to obtain greater than \$10,000 from 4PeteSake, by intentionally deceiving the person with a false representation which she knew to be false, made with intent to defraud and which defrauded the person, contrary to sec. 943.20(1)(d)&(3)(c), 939.32, 939.05 Wis. Stats., an attempt to commit a Class G Felony, and upon conviction may be fined not more than \$12,500, or imprisoned not more than five (5) years, or both.

Count 7: IDENTITY THEFT - FINANCIAL GAIN - PARTY TO THE CRIME: On and about March 07, 2014, in the Village of Spring Green, in Sauk County, Wisconsin, the defendant, as a party to the crime, did attempt to use personal identifying information of Dr. Sam Lubner to obtain something of value without Dr. Lubner's authorization or consent by representing that she was acting with the authorization of Dr. Lubner, contrary to sec. 943.201(2)(a) and 939.05 Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

PROBABLE CAUSE: I am a law enforcement officer and sign this Criminal Complaint on information and belief.

Richland County Lieutenant Dan Krueger reports the following: On February 18, 2014, he received a tip that Theresa Strub was fundraising to assist with payment for cancer treatment, and that she did not have cancer. He went onto Facebook and found Theresa Strub. Strub posted about her illness. Her Facebook page was linked to www.gofundme.com. He went to that website and found that Strub was using that site trying to raise \$5000 to help with medical costs. On that site, Strub reports that she was diagnosed with stage 2 stomach and kidney cancer. She claims to be undergoing oral chemotherapy and receiving injections and radiation therapy. She has a quote on the site from Dr. Weber from UW Hospital, whom Strub identifies as one of her physicians. Strub also posted three photographs/images which Strub identifies as hers. The first is a photo of a kidney, marked up with "L Kidney 53.6 failed". That photo also has Theresa Strub's name and "2014, 18 2" and "UW Health and Hospital" on it. The

second picture is apparently a picture of a stomach. The third picture is an Ultrasound scan showing liver and right kidney. There are no markings on the second or third pictures.

Lt. Krueger further reports the following: He was able to locate the same photos which Theresa Strub posted as showing her cancer on other sites. He located the photo of the stomach (the second photo) was posted on Wikipedia and indicates it was taken in 1999. He located the scan of the liver and kidney (the third photo) at www.ultrasoundimages.com.

Lt. Krueger further reports the following: On March 10, 2014, he made contact with Theresa Strub at her residence at 333 South Ash Street, Lone Rock, Richland County, Wisconsin. He saw that Strub's hair, although cut short, appeared healthy. Strub advised that she has lived at that location with her husband, Jeremy, her daughter and her step son for the past three years. Lt. Krueger told Strub why he was there. Strub told him the following: She does have stomach and kidney cancer. She had been treated at Richland Hospital for some time, and they kept ignoring her problems. Finally, in 2013, they found that she had cancer. She then went to River Valley Clinic and finally to UW Hospital in Madison for treatment. Her doctor is Doctor Sharon Weber. Lt. Krueger had a printout from UW Hospital showing Dr. Sharon Weber. He showed the printout to Strub. Strub confirmed that was the same Sharon Weber who was her Doctor. Strub said she was on oral chemotherapy, had ports in her arm and was undergoing radiation therapy. She received up to 14 injections per week. Only 40% of her radiation therapy was covered by insurance. Every time she went to the hospital or to see a doctor, it cost a \$140 co-pay.

Lt. Krueger further reports the following: During his March 10, 2014, interview of Theresa Strub, he showed her the three images he had downloaded from her gofundme.com website. The images were labeled 1, 2 and 3. Strub told him that all three images were taken at the same time, on February 18, 2014, at UW Hospital in Madison. Strub identified image one as an image of her left kidney which was 53.6% failed. She told him that her right kidney was totally non-functioning. Strub identified image two as an image of her stomach. Strub identified image 3 as an ultrasound of her liver. She has not had any images taken since February 18, 2014. Strub signed medical releases for Richland Hospital and UW Hospital and Clinics.

Lt. Krueger further reports the following: He went to Richland Hospital and asked for Theresa Strub's medical records, giving them a copy of Strub's signed medical release form. He also contacted UW Hospital and requested medical records for Theresa Strub from January 1, 2013, through March 15, 2014, including all medical imaging records. He faxed them a copy of Strub's signed medical release form. On March 19, 2014, he received a faxed response from UW Hospital indicating that they could not comply with his request as they had no records of treatment of Theresa Strub after 2009.

Lt. Krueger further reports the following: On March 20, 2014, he and Richland County Lieutenant Bob Frank went to UW Hospital. There, they spoke to Dawn Fish, Dr. Sharon Weber's assistant. She told them that Theresa Strub was a phantom to them. They did not know her and had no information on her. Lt. Krueger showed Dawn Fish the information found on Strub's web site. Fish left and returned after speaking with Dr. Weber. Dawn Fish reported

that Dr. Weber had told her that Theresa Strub was not her patient, that the quote attributed to Dr. Weber was not made by Dr. Weber, and that Dr. Weber did not know Theresa Strub.

Lt. Krueger further reports the following: On March 28, 2014, he received medical records from Richland Hospital and Clinic. Included was a record of a visit by Strub on April 24, 2013. Strub was suffering shortness of breath and went to the Richland Hospital emergency room. Strub herself did not mention having cancer to the treating ER physician. Instead there is a note that " . . . the patient apparently has also recently been diagnosed with stomach cancer which she did not tell us personally but was told to us by her mother when she arrived." There is also a note from Dr. Albert Alter indicating that, in viewing x-rays taken on April 14, 2013, what is seen of the stomach appears normal. Lab reports from that date also showed white and red blood counts within normal levels.

Lt. Krueger further reports the following: On April 2, 2014, he interviewed Dr. Sharon Weber. He showed Dr. Weber Theresa Strub's web page from www.gofundme.com. Dr. Weber stated that she did not know Theresa Strub, and Theresa Strub was not her patient. Dr. Weber stated that she is a surgeon and not a primary care physician. She does surgery and then returns the patient to the primary care doctor. Saying that she was someone's cancer doctor would be incorrect.

I have seen written statements from Leigh Toberman for the State Fair Dairy Group, Lisa Evert and Rhonda Lehman for United Dreams Dairy, David Allen, Duane Sprecher, and Roland Zick, and am advised as follows: Each year, at the Sauk County Fair, held in the City of Baraboo, Sauk County, Wisconsin, the State Fair Dairy Group holds a basket auction to raise money to defray 4-H kids expenses in traveling to and attending the State Fair. On July 12, 2013, such an auction was held. The State Fair Dairy Group was approached and asked to auction a basket to raise money for Theresa Kanable Strub, a former 4-H member, who was suffering from cancer. The basket was "sold" by auction numerous times and then donated back to be auctioned again. \$8275 was raised in that manner, and the individuals who "bought" Strub's basket wrote their checks to Sauk County 4-H Fair Fund for that amount. On July 29, 2013, Toberman issued a check to "Theresa Kanable" from the Sauk County 4-H Fair Fund in the amount of \$8275. That check was endorsed and cashed by Theresa Kanable. United Dairy Dreams would not have contributed \$2100 to purchase Kanable's basket had they known she did not have cancer. David Allen would not have contributed \$2550 to purchase Kanable's basket had he known she did not have cancer. Duane Sprecher would not have contributed \$700 to purchase Kanable's basket had he known she did not have cancer. Roland Zick would not have contributed \$525 to purchase Kanable's basket had he known she did not have cancer.

Spring Green Police Chief Kevin Wilkins reports the following: On April 18 2014, he received the following information from Marissa Aaron, manager of the Culver's in Spring Green, Sauk County, Wisconsin: On July 30, 2013, the Spring Green Culver's held a "Share Day" for Theresa Strub. At a "Share Day", Culver's donates 25% of their profits for a day to a cause. Strub did not attend the Share Day as it was reported she was too sick to attend. Culver's contributed \$2323 from that event to Theresa Strub. That contribution was made by check dated August 9, 2013, and paid to the Theresa Strub Fund. Culver's also collected money for

Strub in a donation bucket for several months. Culver's issued a check to the Theresa Strub Fund in the amount of \$375.71 on August 30, 2014, for those donations.

Chief Wilkins further reports the following: On April 10, 2014, he and other officers met with John Kaul, and Jack and Jenny Coppernoll. Kaul is the owner of Arthur's Restaurant in Spring Green, Sauk County, Wisconsin. Jenny Coppernoll is Kaul's daughter and the general manager of the Restaurant. They told officers the following: In October, 2013, they hired Theresa Strub as a hostess at Arthur's Restaurant. They knew that she had cancer and were trying to help her out. They decided to have a fundraising event for Strub to help her pay for her cancer treatments. The event took place on November 2, 2013. Arthur's donated food, space, and other costs for the event as well as a portion of their profits from the event. They raised over \$30,000 for Strub. They would not have held the fundraising event or donated food, restaurant space and other items had they known Strub did not have cancer. I have seen many statements signed by individuals who contributed auction items, attended the Arthur's Restaurant benefit and contributed to the Theresa Strub Fund at the benefit. The total amounts listed in the statements exceed \$10,000. Each indicates they would not have contributed had they known Theresa Strub did not have cancer. John Kaul also admitted that he had given Strub \$4000 just before Christmas, 2013. Strub was at Arthur's one day, crying because the bank was going to foreclose on her home. Kaul felt sorry for her and wrote her a check. Kaul provided a copy of the check. It is dated December 20, 2013, made payable to Theresa Strub in the amount of \$4000. The memo line on the check reads, "Merry Xmas benefit-cancer".

Sauk County Sheriff's Detective Justin Hannagan reports the following: On April 1, 2014, he obtained a Document Subpoena for the "Theresa Strub Fund" account at the People's Community Bank, Spring Green. The account showed Tina Kanable and Greg Kanable, Theresa's mother and father, as the joint account holders. The account was opened on May 31, 2013. There is a deposit on November 13, 2013, in the amount of \$21,176.29 (\$7718.56 in checks and \$13,457.73 in cash) which would coincide with the Arthur's Supper Club fund raiser held on November 2, 2013.

Chief Kevin Wilkins further reports the following: On March 24, 2014, he met with Todd Miller, the Treasurer for 4PeteSake, a Non-profit organization located in the Village of Spring Green, Sauk County, Wisconsin. 4Pete Sake provides monetary assistance for people who are suffering from expensive, life threatening or debilitating health problems. Miller expressed concern about an individual who had previously applied for and received monetary assistance and who had a pending application. Miller identified the person as Theresa Strub. Miller provided the following information: Strub's mother Tina Kanable applied to 4PeteSake on October 2, 2013, for monetary assistance for Theresa Strub. The request was for \$15,000-\$17,000 to assist Strub with paying her mortgage, car insurance, food and utilities. The application reported Strub was diagnosed with Stage 0 stomach cancer in February, 2013. In May the cancer had advanced to Stage 2 and had spread to the kidneys. Strub began radiation and other cancer treatments. As a result of the application, 4PeteSake awarded \$3400 to Strub to assist in paying for cancer drugs and fuel to travel for treatment. Two payments, totaling \$2562.80 were by direct payments to Tina Kanable's credit cards to pay for cancer drugs purchased for Strub using the cards. Also, in December, 2013, and January and

February, 2014, 4PeteSake purchased gas cards for Theresa Strub in the amounts of \$300, \$250 and \$286.80, respectively. Strub then submitted a second application to 4PeteSake in March, 2014. Strub was asking for \$15,000 for cancer injections. Accompanying the application is a letter purportedly signed by Doctor Sam Joseph Lubner, dated March 20, 2014. In the letter Dr. Lubner, of the UW Carbone Cancer Center, writes that Strub is under care there for the foreseeable future. Miller contacted the UW Carbone Center and spoke to staff members who told him that Theresa Strub was not a patient there.

Chief Wilkins again interviewed Todd Miller on April 2, 2014. Miller told him the following: On October 25, 2013, 4PeteSake received the application from Tina Kanable on behalf of Theresa Strub through the mail at their Spring Green address. The application was dated October 2, 2013. The 4PeteSake Board met with and interviewed Strub on November 5, 2013. Strub told them that there had been a fundraiser at Arthur's Supper Club from which she received \$25,000 to pay her medical bills for her cancer treatments. As a result of that interview, 4PeteSake decided to pay the approximately \$3400 on Strub's behalf. 4PeteSake would not have approved the payments had they known Strub did not have cancer. On March 7, 2014, 4PeteSake received another application from Strub through the mail at their Spring Green address. In that application Strub requested \$40,000 to pay for Neulasta/PD-1 sublingual injections. Strub also asked for assistance in paying her mortgage, which was under threat of foreclosure. Later, 4PeteSake received the letter from Dr. Lubner left in his mailbox at home. At that point Miller contacted the Carbone Cancer Center to see if he could negotiate payment on behalf of Strub with them. That is when he learned Strub was not a patient there.

Chief Wilkins further reports the following: On March 31, 2014, he interviewed Dr. Sam Joseph Lubner, an Oncologist at the UW Hospital Carbone Cancer Center. Chief Wilkins showed Dr. Lubner the letter Strub had submitted with her application to 4PeteSake. Dr. Lubner immediately stated that it was not a letter he wrote and that the signature on the letter was not his signature. He also pointed out that he would not have prescribed the medication Strub indicated in the application (Neulasta/PD-1 sublingual injections) as that is a breast cancer drug and was not commonly prescribed for the kinds of cancer Strub claimed she had. Dr. Lubner stated that he did not know Theresa Strub and did not authorize her to forge his signature.

Sauk County Sheriff's Detective Clay Lins reports the following: On March 31, 2014, he was asked to assist with the Theresa Strub fraud investigation. He obtained and examined records from Theresa and Jeremy Strub's bank accounts and found the following:

Theresa Strub Benefit Account at People's Community Bank: The account was opened on May 13, 2013. Theresa Strub was not a signer on the account. Tina and Gregory Kanable, her parents, were the authorized signers. Between May 13, 2013, and March, 2014, \$39855.50 was deposited in the account. Over \$31,000 of that sum was subsequently transferred by check directly to Theresa Strub.

"Kickin' it for T" Savings Account at Community First Bank: The account was opened by Theresa Strub and Tina Kanable on June 3, 2013. It is listed with the bank as a "benefit account". Almost all of the deposits were small amounts of cash. A total of \$1713.51 was deposited. Subsequently, all the money from that account was deposited in Theresa and Jeremy Strub's checking account with Community First Bank.

Theresa and Jeremy Strub's Checking Account at Community First Bank: In addition to the deposits from the above two accounts, there were deposits as follows: \$4000 from John Kaul; \$1750 from Heart to Heart, a charitable organization; \$961.80 from giveforward.com; Over \$9000 from Strub's parents and relatives; Over \$3000 being direct deposited from "Square" – Square is a device that attaches to a smart phone and is used to swipe/access credit cards; \$1540.01 in cash deposited on 12/13/13 which coincides with the amount raised by Jeremy's fellow employees at Schreiber Foods; The \$1540.01 match from Jeremy's employer, Schreiber Foods, direct deposited on 12/23/13; Over \$2000 from WePay a payment company that works with gofundme.com. Detective Lins also examined the Checking Account for moneys spent for medical care. He could not find any.


Detective Lins further reports the following: On March 28, 2014, he and other officers monitored a recorded meeting between Todd Miller of 4PeteSake and Theresa Strub. During the interview, Strub told Miller the following: She was being treated for cancer at UW Hospital Carbone Cancer Center. Her family's mortgage, child support and vehicle insurance payments effectively take all of Jeremy's monthly income. Miller offered to contact UW Hospital to attempt to negotiate away some of Strub's medical debt, which she had listed in her application to 4PeteSake at \$200,000. Strub declined advising that she wanted to wait and see what Badger Care would pay first. Strub confirmed that Dr. Sharon Weber and Dr. Sam Lubner were the doctors treating her cancer.

I believe the statements of Dr. Sharon Weber, Dr. Sam Lubner, Dawn Fish, Leigh Toberman, Lisa Evert, Rhonda Lehman, David Allen, Dueane Sprecher, Roland Zick, John Kaul, Jenny Coppernoll, Todd Miller, and the numerous other contributors to be truthful and reliable as they are statements by ordinary citizens. I know that Lt. Krueger, Chief Wilkins, Detective Hannagan and Detective Lins provided the above information in the ordinary course of their professional duties as law enforcement officers and, therefore, believe the above information to be accurate and reliable.

Signed and sworn to before me and approved for filing this 15th day of Oct, 2014.



District Attorney
1008206



Complainant

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