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IN THE CIRCUIT COURT
OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT
LAW DIVISION

Doc#: 0828118095 Fee: \$44.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 10/07/2008 04:32 PM Pg: 1 of 5

SHELBYNE TOLBERT)
Plaintiff,)
Vs.)
HOLY CROSS HOSPITAL,)
ALLAN THRASHER (name corrected to)
ALLEN THRASHER by Court Order dated)
10/20/05), individually and as an agent or)
Employee of HOLY CROSS HOSPITAL,)
Defendants.)

Case No. 99L-04967

Affidavit of Allen Thrasher Filed in Case No. 99L-04967
And Recorded with the Cook County Recorder of Deeds

The attached Affidavit signed on October 5, 2008 by Allen J. Thrasher was filed in Case No. 99L-04967 on October 7, 2008 and recorded with the Cook County Recorder of Deeds on October 7, 2008.

1. Affiant is the defendant Allen Thrasher (misnomer of the name of Allan Thrasher was corrected by Court Order dated October 20, 2005 to Allen Thrasher *nunc pro tunc* for all times this case No. 99L-04967 was filed forward)

2. Affiant was served with process in Case No. 99L-04967 on August 28, 2000 (8-28-00) corrected by an amended Return of Process filed on July 5, 2007 for the original Return of Service that was filed in this case on September 13, 2000 but containing the misnomer for the date of service of September 28, 2000 (9-28-00).

3. After Affiant was served with process on 8-28-00, a judgment was entered against defendant Allen Thrasher on January 4, 2002 for \$50,000 which was subsequently satisfied by Sheriff's Sale levy execution No. 055243-001L on January 31, 2006 which had its Certificate of Sale recorded as Document No. 0604010125 which then merged into the Sheriff's Deed issued on December 13, 2006 to AXXA, Inc. and recorded as Document No. 0635331081.

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4. That the property affected by this Affidavit has the following
LEGAL DESCRIPTION:

LOT 9 IN JOHN L. JILEK'S RESUBDIVISIONS OF LOT 30 TO 48, INCLUSIVE, IN
BLOCK 10 IN MITCHELL ADDITION TO CLARKDALE, BEING A SUBDIVISION
OF THE NORTH ½ OF THE SOUTHEAST ¼ OF SECTION 35, TOWNSHIP 38
NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK
COUNTY, ILLINOIS.

COMMONLY KNOWN AS 3326 W. 84TH PLACE, CHICAGO, IL 60652

P.I.N.(s): 19-15-410-065

Property of Cook County Clerk's Office

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COUNTY DEPARTMENT - LAW DIVISION

SHELBYRYNE TOLBERT)
 Plaintiff,)
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 Vs.)
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 HOLY CROSS HOSPITAL,)
 ALLAN THRASHER (name corrected to)
 ALLEN THRASHER by Court Order dated)
 10/20/05), individually and as an agent or)
 Employee of HOLY CROSS HOSPITAL,)
 Defendants.)

Case No. 99L-04967

Affidavit of Allen Thrasher

I hereby state under oath that the following is true based upon my personal knowledge and if sworn as a witness that I can testify competently thereto if called to court:

1. I married Shanteyl A. Bradley on June 23, 1996.
2. In 1999 we bought the property at 3326 W. 84th Place, Chicago, IL 60652 and lived there as our residence.
3. On May 5, 1999 Shelbyryne Tolbert filed the subject lawsuit against Holy Cross Hospital and myself.
4. I was told that the Holy Cross Hospital would defend the lawsuit which included me as a defendant.
5. In early April ²⁰⁰⁰ my wife Shanteyl Bradley-Thrasher left me and moved out of 3326 W. 84th Place and never returned.
5. I was served with an alias summons to be brought into this lawsuit Case No. 99L-04967 at the end of August, 2000.
6. I remember this for I had plans for the Labor Day weekend in 2000 and service of the summons was done by a process server a few days prior to Labor Day and upset my holiday plans.
7. I was provided a copy of the affidavit of Special Process Server Patrick S. Loizon by AXXA, Inc. that was filed in this case on July 5, 2007 which addressed the error in the Return of Service with the court filing date stamp of 9-13-00 that corrected

COURT OF COOK COUNTY
 LAW DIVISION
 200801-11215

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the error that service was performed upon me on 9-28-00 that was amended to 8-28-00 and I fully uphold that the service upon me took place at the end of August, 2000 on 8-28-00 and not 9-28-00 for my birthday is September 29th and I remember such service did not happen before my birthday. Such service in this instant case occurred just before Labor Day at the end of August, 2000.

8. On August 16, 2001 Shanteyl Bradley-Thrasher filed for divorce in Case No. 01D-13069 and I was subsequently served.

9. On July 18, 2003 a Judgment for Dissolution of Marriage was entered in which I was awarded the sole ownership of the house that I was living in at 3326 W. 84th place.

10. I was having financial difficulties at this time and could not make the mortgage payments.

11. On November 29, 2003 I came home and my girl friend Myra Walker gave me legal papers that she received that there was a mortgage foreclosure started as Case No. 03CH-18547.

12. I looked into refinancing the mortgage to stop the foreclosure but the judgment of Shelbryne Tolbert entered in Case No. 99L-04967 had to be paid off with any new refinancing and there was not enough equity to get a new loan. I did not tell Shanteyl Bradley-Thrasher of the missed payments nor the inability to refinance the mortgage to get her name off of the loan nor the foreclosure for I thought that I could work through this difficulty.

13. I made partial payments to try to catch up on the mortgage that continued the foreclosure process until the property was finally sold at sale on October 12, 2005.

14. I agreed to meet Shanteyl-Bradley Thrasher on October 14, 2005 to have Attorney Sean Chaudhuri prepare a Quit Claim Deed to take her name off of the property as she had been requesting for some time without telling her of the foreclosure problem and the sale.

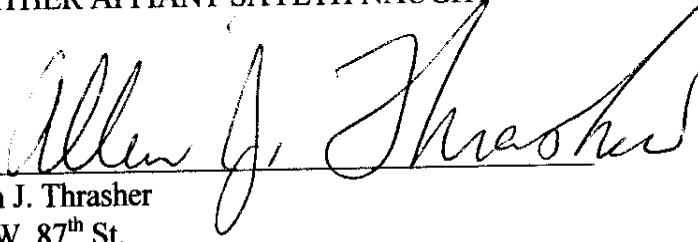
15. On November 1, 2005 I attended the Confirmation Hearing for the foreclosure sale for 3326 W. 84th Place and obtained additional time of 60 days to move.

16. A couple of months earlier I received a letter from AXXA, Inc. that it had purchased the judgment in Case No. 99L-04967 from Shelbryne Tolbert and then various letters in 2006 that the judgment was being sold by the Cook County Sheriff with a redemption period on the property at 3326 W. 84th Place that I did not own after the foreclosure and I took no action.

17. The judgment entered in Case No. 99L-04967 was satisfied by sale by the Sheriff of Cook County and merged into the deed issued to AXXA, Inc. on December 13, 2006.

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FURTHER AFFIANT SAYETH NAUGHT

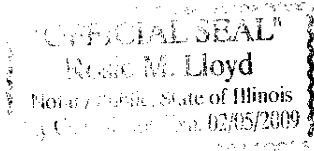


Allen J. Thrasher
501 W. 87th St.
Chicago, IL 60620

Subscribed to and Sworn to
Before me this 2 day of October, 2008


NOTARY PUBLIC

My Commission Expires 2-9-09



Property of Cook County Clerk's Office

