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3315 (Rev. 6/11/02) CCG 0015
Memorandum of Judgment



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Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 11/17/2009 02:51 PM Pg: 1 of 3

IN THE CIRCUIT COURT OF
COOK COUNTY, ILLINOIS

NMC Grove Melrose, LLC, et al.

v.

MS-Grand Melrose Park, Inc., et al.

Recorder's Stamp

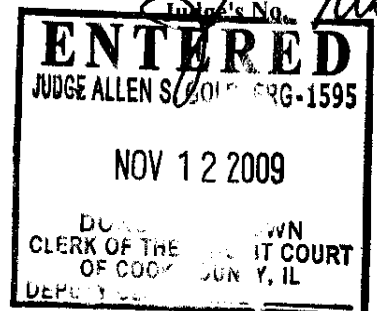
No. 2009 L 00732

MEMORANDUM OF JUDGMENT

On November 4, 2009, judgment was entered in this court
in favor of the plaintiff NMC Grove Melrose, LLC, NMC Melrose Park, LLC, Melrose Park Equity, LLC
Melrose Park Investments, LLC and Melrose Park Associates, LLC
and against defendant Hawk Operations, LLC c/o Cerberus Capital Management LP
whose address is 299 Park Avenue, New York, NY 10171
in the amount of \$ 1,376,801.01.

Judge

Atty. No.: 4229
Name: Dykema Gossett PLLC
Atty. for: Plaintiffs
Address: 4200 Commerce Court, Suite 300
City/State/Zip: Lisle, Illinois 60532
Telephone: 60532



DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

UNOFFICIAL COPY**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, LAW DIVISION**

NMC GROVE MELROSE LLC, NMC MELROSE PARK
LLC, MELROSE PARK EQUITY LLC, MELROSE
PARK INVESTMENTS, LLC, and MELROSE PARK
ASSOCIATES, LLC,

Plaintiffs,

vs.

MS-GRAND MELROSE PARK, INC., SUPERVALU
HOLDINGS, INC., HAWK OPERATIONS, LLC,

Defendants

Case No.: 2009 L 732

ORDER

THIS MATTER COMING BEFORE THE COURT for prove up of Plaintiffs' damages; the Court having previously granted summary judgment to Plaintiffs on both Counts of the Complaint; the Court having reviewed the affidavits submitted by Plaintiffs in support of their claim for damages and attorneys' fees and costs; the Defendants having raised no objections to the amount of damages claimed; the parties having reached an agreement as to amount of attorneys' fees and costs to be awarded; the Court being advised in the premises;

IT IS HEREBY ORDERED THAT:

1. Judgment is awarded in favor of Plaintiffs NMC GROVE MELROSE LLC, NMC MELROSE PARK LLC, MELROSE PARK EQUITY LLC, MELROSE PARK INVESTMENTS, LLC, and MELROSE PARK ASSOCIATES, LLC and against MS-GRAND MELROSE PARK, INC., SUPERVALU HOLDINGS, INC., HAWK OPERATIONS, LLC, on both counts of the Complaint as follows:

- a. \$1,312,864.51 in Basic Rent and Additional Charges due under the parties'

Sublease;

- b. \$63,936.50 in attorneys' fees and costs.

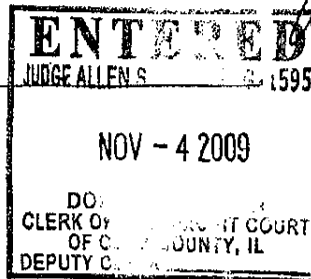
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2. The entry of this Judgment shall have no effect on the rights under the Sublease of defendants to audit Common Area Expenses and Taxes.

3. Pursuant to Illinois Supreme Court Rule 304(a), the Court finds that there is no just reason for delaying either enforcement or appeal or both.

Dated: _____, 2009

ENTERED



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