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Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 09/16/2015 02:51 PM Pg: 1 of 5

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## IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS MUNICIPAL DEPARTMENT-FIRST DISTRICT

THE CITY OF CHICAGO, a municipal corporation,  
Plaintiff,

v.

KHADER ATALLAH,  
*et al.*,  
Defendant(s).

No: 13 M1 402859

Re: 3638 W. 16<sup>th</sup> St.

Courtroom 1111, Richard J. Daley Center

### AGREED ORDER

This cause coming to be heard on the set call and on motion of Plaintiff, the Court having jurisdiction over the defendant(s) and the subject matter, and being fully advised in the premises, and the Defendants: 16<sup>th</sup> & Millard Store Inc. d/b/a 16<sup>th</sup> & Millard Food ("16<sup>th</sup> & Millard Food") and Khader Atallah ("Atallah") and the City of Chicago ("City") have reached an agreement, stipulate to the following facts and agree to entry of the orders set forth below.

#### IT IS HEREBY ORDERED THAT:

1. Defendant 16<sup>th</sup> & Millard Food will cease any and all business operations in the first floor commercial space located at 3638 W. 16<sup>th</sup> Street ("Subject Property") by **September 17, 2015 at 7:00 P.M.** Defendant 16<sup>th</sup> & Millard Food shall vacate the Subject Property by 10 / 16 / 15. Defendant 16<sup>th</sup> & Millard Food and its agents, heirs, legatees, successors, and assigns shall be permanently enjoined and restrained from renting, using, leasing, or occupying the first floor commercial space of the Subject Property, effective immediately upon the vacate of said premises.
2. This injunction shall not prevent any other appropriately licensed businesses from renting, using, leasing, or occupying the first floor commercial space located at the Subject Property.
3. Defendant 16<sup>th</sup> & Millard Food agrees to a voluntary revocation of the City of Chicago Retail Food Establishment and Tobacco Retail Over Counter licenses issued to 16<sup>th</sup> & Millard Food as licensee for the premises located at 3638 W. 16<sup>th</sup> Street, Chicago, IL. The revocation shall be applicable to the licensee only. The Subject Property itself shall not be subject to a ban as a result of the revocation of Defendant 16<sup>th</sup> & Millard Food's licenses listed above. The terms of the Voluntary Revocation Settlement with the Department of Business Affairs and Consumer Protection are listed in the document attached as **Exhibit A**. Defendant 16<sup>th</sup> & Millard Food agrees to return the licenses for the location listed above to the custody of the Department of Business Affairs and Consumer Protection on or before **September 30, 2015**.

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- 4. Upon voluntary revocation and return of the licenses listed in paragraph 2 above, the City agrees to waive all fines and litigation costs against Defendant 16<sup>th</sup> & Millard Food as it relates to this cause of action.
- 5. The court reserves jurisdiction of this matter for the purposes of modification, enforcement, or termination of this Agreed Order, including the adjudication of proceedings for contempt or default fines.

Hearing Date: 9/3/15

By: [Signature]  
 Stuart Miles  
 Attorney for Plaintiff  
 Corporation Counsel #90909  
 30 N. LaSalle, Room 700  
 Chicago, IL 60602 (312) 744-3791

By: [Signature]  
 John Mraibie  
 Attorney for 16<sup>th</sup> & Millard Food

*Judge Pamela Hughes Givens*  
 SEP 03 2015  
 Circuit Court - 1933  
Pamela Givens  
 Judge Courtroom 1111

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Department of Business Affairs and Consumer Protection  
 Local Liquor Control Commission  
 Prosecutions & Adjudication Division  
 City Hall - 121 N. LaSalle Street, Room 805 • Chicago, IL 60602  
 (312)-74-GOBIZ (312-744-6249) • (312) 744-1944 (TTY)  
<http://www.cityofchicago.org/bacp>

## Voluntary Revocation

Case No.: 15 NR 143

Date: 09/02/15

Location: 3638 W. 16th St.

Licenses: Tobacco Retail Over Counter, Retail Food Establishment

Licensee: 16th & Millard Store Inc., Maher M. Hamad, President

I (We), as licensee(s) of the above named premises have met with a representative of the office of the Mayor of the City of Chicago, who has advised me (us) of my (our) right to a public hearing before the Department of Business Affairs and Consumer Protection/Local Liquor Control Commission of the City of Chicago relative to an incident(s) which occurred on or about the licensed premises on 7/15/15 (narcotics); 7/16/15 (narcotics); 7/22/15 (narcotics); 7/30/15 (no canopy permit, no reusable bags for sale, outdated merchandise) and 7/30/15 (P004757069 - loose cigarettes) (P004757068 - narcotics)

I (We) have thoroughly discussed the incident(s) and have been afforded the opportunity to present any or all facts concerning the incident(s), either orally or by way of affidavit.

I (We) hereby elect to waive my (our) right to a formal hearing and voluntarily agree to **revoke** the City of Chicago **Retail Tobacco and Retail Food Establishment licenses** issued to **Maher M. Hamad** (licensee only, not location).

I (We) further understand that the voluntary revocation of this license is to be construed as a settlement or disposition related to the current charges pending with the Department of Business Affairs & Consumer Protection under Case Number **15 NR 143**.

It is further agreed between the parties that the effective date of revocation shall be 9/17/15 at 7:00 P.M.

It is further agreed between the parties that this shall not act as a location restriction of the property located at 3638 W. 16<sup>th</sup> St.

It is further agreed between the parties that the City of Chicago will not seek any fines as it relates to the above alleged violations that took place between July 15, 2015 and July 30, 2015.

It is further agreed between the parties that the licensee(s) shall not appeal this voluntary revocation at any time in the future.

This agreed resolution of the violation(s) is made with express understanding that this voluntary revocation shall be made a permanent record of the licensee's disciplinary history and may be introduced as evidence of aggravation in conjunction with other charges of misconduct in any future proceeding.

I (We) attest that the executed signatures on this document include all necessary parties having authority and right to enter into this agreement.

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CASE# 15 NR 143

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Print: John WRAIBIC

Signed: [Signature]

Title/Relationship: attorney

Date Signed: 9-3-15

Cc: VCS, File, Stats

**COOK COUNTY**  
**RECORDER OF DEEDS**  
SCANNED BY \_\_\_\_\_

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**Address:** 3638 W. 16<sup>th</sup> St.

**Legal:**

LOT 81 IN L.B. DOUD'S SUBDIVISION OF THE WEST ½ OF THE EAST ½ OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 23, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**PIN:** 16-23-128-037-0000

**Case #:** 13 M1 402859

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