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3315 Memorandum of Judgment

IN THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT COLES COUNTY, ILLINOIS

FIRST-CITIZENS BANK & TRUST COMPANY, as successor-in-interest to Temecula Valley Bank, N.A.

v.

SONTEJROH CORP., an '.'linois corporation; NAT M. ZALA, PAUL ZALA; FIRST-CITIZENS '3ANK & TRUST COMPANY; CITY OF MATTOON; UNKNOWN OWNEP'S and NONRECORD CLAIMANTS,



Doc# 1634419076 Fee \$44.00

KAREN A YARBROUGH

DATE: 12/09/2016 03:04 PM PG: 1 OF 4

Recorder's Stamp

No. 15 CH 70

#### MEMORANDUM OF JUDGMENT

On November 28,	, 2016 , judgment was entered in this cour
in favor of the plaintiff FIRST-CITIZENS BA	ANK & TRUST COMPANY
and against defendants Nat M. Zala and Pa	iul Zala
whose address is 1335 Lorraine Place, Sc	chaumburg IL and 21 Kristen Drive, Schaumburg, IL
in the amount of \$ 2,750,412.10	<u> </u>
A CERTIFIED COPY OF THE FOREGO	NG JUDGMENT IS ATTACHED HERETO

Name: Robert F. Rabin (Thompson Coburn LLP)

Atty. for: FIRST-CITIZENS BANK & TRUST COMPANY

Address: 55 East Monroe Street, 37th Floor

City/State/Zip: Chicago, IL 60603

Telephone: 312-346-7500

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IN THE CIRCUIT COURT FOR THE FIFTH JUDICIAL GIRCUIT COLES COUNTY, ILLINOIS

FIRST-CITIZENS BANK & TRUST COMPANY, as successor-in-interest to Temecula Valley Bank, N.A.

Circuit Clark Cable 231417 Climbis No. 15 CH 70

Plaintiff,

٧.

SONTEJROH CORP., an Illinois corporation; NAT M. ZALA; PAUL ZALA; FIRST-CITIZENS BANK & TRUST COMPANY; CITY OF MATTOON; UNKNOWN OWNERS and NGNRFCORD CLAIMANTS,

Property address: 4922 Paradise Road Mattoon, Illinois

Defendants.

#### **ORDER**

This cause coming to be heard on Plaintiff's Motion for Judgment on Counts I, III, IV, VI, VII, IX, X and XII of Verified Comparint to Foreclose Mortgages and for Other Relief, due notice having been given, and the Court being folly advised in the premises;

### IT IS HEREBY ORDERED THAT:

- Plaintiff's Motion for Judgment on Counts I, III, IV, VI, VII, IX, X and XII of I. Verified Complaint to Foreclose Mortgages and for Other Keijei is granted.
- Summary judgment is entered in favor of Plaintiff and against Defendant Nat M. Zala 2. on Count III of the Complaint to Foreclose Mortgages and for Other Relief (the "Complaint") in the amount of \$2,044,684.55, which sum consists of the unpaid principal balance of the promissory note dated November 7, 2008 in the original principal sum of \$2,000,000.00 (the "First Note") (\$1,646,913.01), unpaid accrued interest through November 7, 2016 (\$261,768.27), unpaid ate fees and costs (\$24,672.16), additional prejudgment interest in the amount of \$225.60 per day from November 8, 2016 through the entry of judgment (\$4\_737.60), expenses associated with the mortgaged premises which is the subject of this lawsuit allocated to the First Note (\$49,829.49), and reasonable attorneys' fees and allowable costs allocated to the First Note (\$56,764.30).
- Summary judgment is entered in favor of Plaintiff and against Defendant Paul Zala 3. on Count IV of the Complaint in the amount of \$2044,684, which sum consists of the unpaid

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principal balance of the First Note (\$1,646,913.01), unpaid accrued interest through November 7, 2016 (\$261,768.27), unpaid late fees and costs (\$24,672.16), additional prejudgment interest in the amount of \$225.60 per day from November 8, 2016 through the entry of judgment (\$\frac{41}{737}\frac{60}{60}\)), expenses associated with the mortgaged premises which is the subject of this lawsuit allocated to the First Note (\$49,829.49), and reasonable attorneys' fees and allowable costs allocated to the First Note (\$56,764.30).

- on Count IX or the Complaint in the amount of \$\frac{705}{727.27}\$, which sum consists of the unpaid principal balance of the promissory note dated November 7, 2008 in the original principal sum of \$787,000.00 (the "Second Note") (\$705,727.27), unpaid accrued interest through November 7, 2016 (\$51,621.01), additional prejudgment interest in the amount of \$98.02 per day from November 8, 2016 through the entry of judgment (\$\frac{2}{10}\left\frac{1}{20}\left\frac{1}{20}\right\f
- 5. Summary judgment is entered in favor of Plaintiff and against Defendant Paul Zala on Count X of the Complaint in the amount of \$\frac{70\sqrt{27}}{227}, \frac{27}{27}, \text{which sum consists of the unpaid principal balance of the Second Note (\$705,727.27), unpaid accrued interest through November 7, 2016 (\$51,621.01), additional prejudgment interest in the amount of \$78.02 per day from November 8, 2016 through the entry of judgment (\$\frac{2}{10\sqrt{8}}.\frac{42}{27}\$), unpaid late fees and costs (\$8,753.39), expenses associated with the mortgaged premises which is the subject of this lawsuit allocated to the Second Note (\$19,378.14), sums advanced by Plaintiff in September 2016 to pay the \$2015\$ and reasonable attorneys' fees and allowable costs allocated to the Second Note (\$22,075.00).
- 6. Summary judgment is entered in favor of Plaintiff and against Defendants Sontejroh Corp., Nat M. Zala and Paul Zala on Counts VI and XII of the Complaint.

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- Defendants Sontejroh Corp., Nat M. Zala and Paul Zala shall deliver all of Sontejroh Corp.'s chattel paper, accounts, equipment, general intangibles, products, proceeds and instruments; whether any of the foregoing is owned now or acquired later, wherever located; all accessions, additions, replacements, and substitutions relating to any of the foregoing; all records of any kind relating to any of the foregoing; all proceeds relating to any of the foregoing (including insurance, general intangibles, and other accounts proceeds) to a place designated by Plaintiff within the State of Illinois con or before November 31, 2016 Stayed with huttur order a court on the condition that Teptons and the proceeds of the foregoing (including insurance, general intangibles, and other accounts proceeds) to a place designated by Plaintiff within the State of Illinois con or before November 31, 2016 Stayed with huttur order a court on the condition that Teptons and the proceeds of the foregoing (including insurance, general intangibles, and other accounts proceeds) to a place designated by Plaintiff within the State of Illinois con or before November 31, 2016 Stayed with huttur order a court on the condition of the Illinois con or before November 31, 2016 Stayed with huttur order a court of the complaint is being entered contemporancously with the entry of this judgment by separate orders.
  - 9. There is no just reason to delay enforcement or appeal of this order.
- 10. Counts II, V, VIII and XI of the Complaint are continued generally, and the matter is taken off call pending confirmation of the indicial sale of the mortgaged premises.

Entered:

Robert F. Rabin (ARDC # 6203742) Thompson Coburn LLP 55 E. Monroe Street, 37<sup>th</sup> Floor Chicago, Illinois 60603 312-346-7500

CERTIFIED TRUS COPY

Melissa Hurst