

United States District Court
Northern District of Illinois

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Eastern Division

I, H. Stuart Cunningham, Clerk of the United States District Court for the Northern District of Illinois, do hereby attest and certify that the annexed document is a full, true, and correct copy of the original(s) on file in my office and in my legal custody.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at Chicago, Illinois on 5-26-87.

H. STUART CUNNINGHAM

CLERK

By:

Delia Desmukes

Deputy Clerk

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UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

Number of Pages	CHIEF JUDGE GRADY	Sitting Judge or Other Designated Judge	87284795
Case Number	§5(c) 341	Date	MAY 23 1987
Case Title	Willie Nelson et al. v. King & Pyle, et al.		

MOTION: (In the following box (a) indicate the party filing the motion, (b) plaintiff, defendant, 3d-party plaintiff, and (c) state briefly the nature of the motion being presented.)

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DOCKET ENTRY: (The balance of this form is reserved for notations by court staff.)

(1) Judgment is entered as follows: (2) [Other docket entry:]

Enter Order Petition are granted a lien in the sum of \$170,065.88 etc. Chicago Title and Trust Co is permanently enjoined etc. Magalia E. Pyle is permanently enjoined etc.

(3) Filed motion of [see listing in "MOTION" box above]
(4) Filed in support of motion due
(5) Answer brief to motion due. Reply to answer brief due
(6) Hearing Filing on set for at
(7) Status hearing held continued to set for reset for at
(8) Trial date held continued to set for reset for at
(9) Trial set for reset for at
(10) Bench trial Jury trial Hearing held and continued to at
(11) Case is dismissed without with prejudice and without costs by agreement pursuant to
 FRCP 41(a)(1) FRCP 41(a)(2) FRCP 41(a)(1) FRCP 41(a)(2)

Number of copies required.	15	Date of notice	MAY 25 1987	Document #	176
Number of copies filed by judge's staff.	3	Date dictated			
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

WILLIE WILSON and DARRYL BERRY,
individually and on behalf of
the Class of all participants
and/or beneficiaries under the
Ernie's Certified Food Mart, Inc.
Profit Sharing Plan and Trust
as of August 31, 1981, except for
defendants King J. Pye, Magnolia
E. Pye, and Ernest Collins,
and James Banks, Arlio Adams,
James Ground, Gregory Lee, Harry
Hyaer, James Riker, Ella Boyd
and all other persons who have
received the distribution of the
benefit to which they were entitled
under said Plan and Trust,

Plaintiffs,

-vs-

KING J. PYE, individually and as a
Trustee of the Ernie's Certified
Food Mart, Inc. Profit Sharing Trust
and as Plan Administrator of the
Ernie's Certified Food Mart, Inc.
Profit Sharing Plan, Magnolia E. Pye,
individually and as a Trustee of the
Ernie's Certified Food Mart, Inc.
Profit Sharing Trust, Ernest Collins,
individually and as Trustee of the
Ernie's Certified Food Mart, Inc.
Profit Sharing Trust and as Plan
Administrator of the Ernie's Certified
Food Mart, Inc. Profit Sharing Plan,
Enjay Corporation, individually and
as Trustee of the Enjay Profit Sharing
Trust for Ernie's Certified Food Mart,
Inc. and as Plan Administrator of the
Enjay Profit Sharing Plan for Ernie's
Certified Food Mart, Inc., and
Louis A. Miller, III, individually and
as Trustee of the Enjay Profit Sharing
Trust for Ernie's Certified Food Mart,
Inc.,

Defendants,
and

COOK COUNTY CLERK AND CLERK COMPANY

No. 85 C 06341

Judge John F. Grady

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FILED

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ORDER

This cause coming to be heard on the Citation to Discover Assets served upon Chicago Title and Trust Company and the Citation to Discover Assets served upon Magnolia E. Pye, and this Court having entered a judgment in plaintiff's favor against defendant Magnolia E. Pye in the sum of \$170,065.88 plus reasonable attorneys' fees on January 28, 1987, and Chicago Title and Trust Company having disclosed that Magnolia E. Pye is the owner of one hundred percent of the beneficial interest in Chicago Title and Trust Company Trust Agreement dated October 4, 1982 and known as Trust Number 1082657 subject to a collateral assignment of said beneficial interest to Seaway National Bank of Chicago, and that Magnolia E. Pye and Seaway National Bank of Chicago have the power of direction under said Trust Agreement, and this Court being advised in the premises,

IT IS HEREBY ORDERED as follows:

1. Plaintiffs are granted a lien in the sum of \$170,065.88 plus interest thereon at 9% per annum from January 28, 1987, upon the beneficial interest of Magnolia E. Pye in Chicago Title and Trust Company Trust Number 1082657.

2. Chicago Title and Trust Company is permanently enjoined from making or permitting any sale, assignment, transfer, hypothecation or other disposition of any part of the beneficial interest of judgment debtor Magnolia E. Pye in Chicago Title and Trust Company Trust Number 1082657 and from accepting any assignment of

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any part of the beneficial interest of Magnolia E. Pye in Chicago Title and Trust Company Trust Number 1082657, and from selling, assigning, transferring, hypothecating, or otherwise disposing of any part of the following described real estate, or other real estate, owned by Chicago Title and Trust Company Trust Number 1082657 until further order of this Court:

The West 20 feet of Lot 24 and (except the West 10 feet) of Lot 23 in Block 2 in Stern's Addition to Stony Island Heights, being a Subdivision of Block 1, the North 1/2 of Block 12 and the South 1/2 of Block 12 except the East 166 feet thereof in Stony Island Heights Subdivision in the Southwest 1/4 of Section 1, Township 37 North, Range 14 lying east of the 3rd principal meridian in Cook County, Illinois, having permanent tax number 25-01-301-049-0000, and commonly known as 1710 E. 91st Place, Chicago, Illinois.

3. Magnolia E. Pye is permanently enjoined from making or permitting any sale, assignment, transfer, hypothecation or other disposition of any part of her beneficial interest in Chicago Title and Trust Company Trust Number 1082657 and from selling, assigning, transferring, hypothecating, or otherwise disposing of any part of the aforesaid real estate commonly known as 1710 E. 91st Place, Chicago, Illinois, or other real estate, owned by Chicago Title and Trust Company Trust Number 1082657 until further order of this Court.

Dated: May 22, 1987

Essell M. Rufford
Esq. and Counsel, Chartered
2310 W. 29th Street
233 S. Wacker Drive
Chicago, Illinois 60606
376-0500

ENTER:

John E. Conley, Judge

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DEPT-01 RECORDING \$18.25
MILL TRAM 0952 05/27/07 12:53:00
MILLS # 4-07-084795
COOK COUNTY RECORDER