

UNOFFICIAL COPY
United States District Court
Northern District of Illinois
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 ~~documents are~~ 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 10-24-90

H. STUART CUNNINGHAM
CLERK

By: [Signature]
Deputy Clerk

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AD 451 (Rev. 2/86) Certification of Judgment

JUDGE ALESIA

United States District Court

WESTERN

DISTRICT OF

OKLAHOMA

FEDERAL DEPOSIT INS. CORP., ET AL.

v.

ROGERS PARK I, ET AL.

9006187 CERTIFICATION OF JUDGMENT FOR REGISTRATION IN ANOTHER DISTRICT

Case Number: CIV-87-176-T

I, ROBERT D. DENNIS

Clerk of this United States District Court

certify that the attached judgment is a true and correct copy of the original judgment entered in this action on AUGUST 15, 1990, as it appears in the records of this court, and that

"no notice of appeal from this judgment has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed."

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court on

OCTOBER 12, 1990 Date

ROBERT D. DENNIS

Clerk

[Signature of Deputy Clerk]

(By) Deputy Clerk

DEPT-01 RECORDING #2222 TRAN 8438 10/25/90 14:3 16573 # 10 * - 90-5225 COOK COUNTY RECORDER

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Insert the appropriate language: . . . "no notice of appeal from this judgment has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed." . . . "no notice of appeal from this judgment has been filed, and any motions of the kinds listed in Rule 4(a) of the Federal Rules of Appellate Procedure [] have been disposed of, the latest order disposing of such a motion having been entered on [date]." . . . "an appeal was taken from this judgment and the judgment was affirmed by mandate of the Court of Appeals issued on [date]." . . . "an appeal was taken from this judgment and the appeal was dismissed by order entered on [date]."

[*Note: The motions listed in Rule 4(a), Fed. R. App. P., are motions: for judgment notwithstanding the verdict; to amend or make additional findings of fact; to alter or amend the judgment; for a new trial; and for an extension of time for filing a notice of appeal.]

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IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

FEDERAL DEPOSIT INSURANCE CORPORATION, as Receiver of Citizens National Bank & Trust Company,

Plaintiff,

v.

ROGERS PARK I, an Illinois limited partnership; and EARL J. NIEMOTH, an individual,

Defendants.

and

H. HUNTLEY BALDWIN; et al.,

Additional Defendants.

and

ADMIRAL INSURANCE COMPANY,

Third-Party Defendant.

CIV-87-1716-T

FILED-EDS
90 OCT 24 PM 3:00
U.S. DISTRICT COURT
CLEMENS

AUG 15 90

JOURNAL ENTRY OF JUDGMENT
NUNC PRO TUNC

This matter came on before the Court for entry of final judgment consistent with the previous Orders of the Court on June 13, 1990, and the Court entered judgment in the principal amount of \$1,534,580.46, plus accrued interest of \$132,937.43. The Court has since been advised that Plaintiff received a payment of an additional \$118,636.35 on May 29, 1990, subsequent to Plaintiff's May 2, 1990 motion

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to enter judgment. The parties agree that such payment should have been credited in the calculation of the judgment amount. Applying the \$118,636.35 first to interest accrued to May 29, 1990, which totalled \$121,001.69, the parties have advised the Court the interest amount should have been reduced to \$2,365.34 as of May 29, 1990, and the interest accrued as of June 13, 1990, the date final judgment was entered, should have been \$13,555.01, rather than \$132,937.43; accordingly,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Court, nunc pro tunc as of June 13, 1990, that Plaintiff, Federal Deposit Insurance Corporation, as Receiver of Citizens National Bank & Trust Company, shall have and recover judgment as against the Defendants Rogers Park I, an Illinois limited partnership, and Earl J. Niemoth, jointly and severally, in the principal amount of \$1,934,580.46, plus accrued interest of \$13,555.01, plus attorneys' fees in the amount of \$155,642.00, together with post-judgment interest accruing thereon at the rate of 8.70 percent per annum from and after June 13, 1990 until paid.

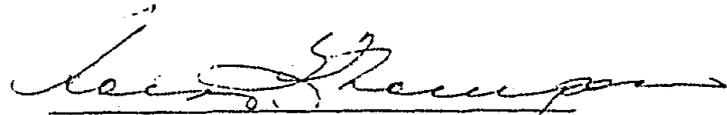
IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Clerk of the Court enter the judgment nunc pro tunc granted hereon in the judgment docket as provided by Rule 23 of the Local Rules of the United States District Court for the Western District of Oklahoma and notify the parties of the entry of the judgment nunc pro tunc.

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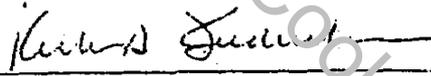
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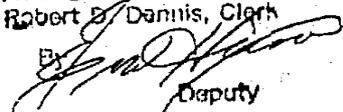
ENTERED this 15th ^{August} day of ~~July~~, 1990.


UNITED STATES DISTRICT JUDGE

Approved as to form:

ENTERED IN JUDGEMENT DOCKET ON 8-15


Kirk D. Fredrickson
Watson & McKenzie
2900 Liberty Tower
Oklahoma City, OK 73102-5697
Attorney for Plaintiff

ATTENTION: A true copy of the original
Robert B. Dennis, Clerk
By 
Deputy


Mark S. Grossman
Crowe & Dunlevy
1800 Mid-America Tower
20 North Broadway
Oklahoma City, OK 73102
Attorney for Defendants
Rogers Park I and Earl J.
Niemoth

4.90B.MSG

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AFFIDAVIT

I, Kirk D. Fredrickson, on oath deposes and states the following information to be true and correct to the best of his knowledge and belief:

1. Defendant, Rogers Park, an Illinois limited partnership, last known address is c/o Create, Inc., 739 Dobson Street, County of Cook, Evanston, Illinois 80201.

2. Defendant, Earl J. Niemoth's last known address is 2801 Lincoln, County of Cook, Evanston, Illinois 80204, and his last known business address is c/o Create, Inc., 739 Dobson Street, County of Cook, Evanston, Illinois 80201.

Kirk D. Fredrickson
Kirk D. Fredrickson

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SUBSCRIBED AND SWORN TO before me this 25th day of October, 1990.

Melinda Smith
NOTARY PUBLIC

DAR-140

Comm. Exp. 12-8-92

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2025-01-10 10:00:00