

91036286

CERTIFIED COPY (Rev. 6/85)

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 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: *Christine...*

Deputy Clerk

90522535

RE-RECORDING TO ADD LEGAL DESCRIPTION

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

JUDGE ALESIA

## United States District Court

WESTERN

DISTRICT OF

OKLAHOMA

FEDERAL DEPOSIT INS. CORP.,  
ET AL.

**9006187**  
CERTIFICATION OF JUDGMENT  
FOR REGISTRATION IN  
ANOTHER DISTRICT

FILED-ECG

v.

ROGERS PARK I, ET AL.

Case Number: CIV-87-1716-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

*Date*

"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 L. DENNIS

Clerk

*[Signature]*  
(By) Deputy Clerk

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DEPT-01 RECORDING \$17.25  
T#2222 TRAN 8438 10/25/90 14 39 00  
#5573 # B \*\*90-522535  
COOK COUNTY RECORDER

1725

\*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.

FILED-EDS  
 90 OCT 24 PM 3:00  
 U.S. DISTRICT COURT  
 CIV-87-1716-T  
 105 15 90  
 RECEIVED  
 CLERK'S OFFICE  
*[Signature]*

### 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 \$118,635.35 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 \$132,437.43; 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 \$1,534,580.46, 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*.

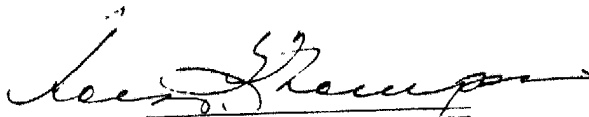
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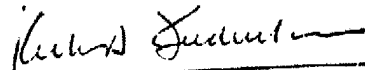
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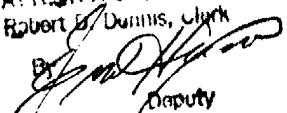
ENTERED this 15<sup>th</sup> day of <sup>August</sup> ~~July~~, 1990.


  
UNITED STATES DISTRICT JUDGE

Approved as to form:

ENTERED IN JUDGEMENT BOOK BY 8-15-90

  
Kirk D. Fredrickson  
Watson & McKenzie  
2900 Liberty Tower  
Oklahoma City, OK 73102-8697  
Attorney for Plaintiff

ATTENTION: A true copy of the original  
Robert E. 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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Lot 1 in Betts First Addition to Lincolnwood, being a Subdivision of the North 462 feet of the North 1/2 of the East 1/2 of the West 1/2 of the Southeast 1/4 and the North 462 feet of the East 3 acres of the West 1/2 of the West 1/2 of the Southeast 1/4 of Section 11, Township 41 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

P.I.N.: 10-11-205-023

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DEPT-01 RECORDING \$13.5  
TRAV \$1.00 02/05/91 10:27:00  
\*91-056286  
COOK COUNTY RECORDER

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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 I, an Illinois limited partnership, last known address is c/o Create, Inc., 739 Dobson Street, County of Cook, Evanston, Illinois 60201.

2. Defendant, Earl J. Niemoth's last known address is 2801 Lincoln, County of Cook, Evanston, Illinois 60204, and his last known business address is c/o Create, Inc., 739 Dobson Street, County of Cook, Evanston, Illinois 60201.

  
Kirk D. Fredrickson

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

  
NOTARY PUBLIC

DAR-140

Comm. Exp. 12-8-92

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