

# UNOFFICIAL COPY



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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

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Cook County Recorder 23.50

UNITED STATES SECURITIES AND )  
EXCHANGE COMMISSION, )

Plaintiff, )

v. )

JOHN D. LAUER, CLIFTON CAPITAL )  
INVESTORS L.P., KONEX HOLDING )  
CORPORATION LYLE E. NEAL, )  
COPOL INVESTMENTS LIMITED and )  
JOSEPH POLICHEMI, )

Defendants. )

No. 94 C 3770

Judge Wayne Andersen

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CLERK  
U.S. DISTRICT COURT

### ORDER

This matter having come before the Court on the motion of the Chicago Housing Authority and the Chicago Housing Authority Retirement Trust (the "CHA Parties") for an Order imposing a constructive trust, and the Court having been fully advised in the premises, is hereby ordered that:

1. Pursuant to this Court's Order dated October 24, 1995, John Lauer owes restitution obligations to the CHA Parties in the amount of \$4.853M plus prejudgment interest, less the proceeds of any assets that have already been liquidated and placed into the Escrow account established by this Court at the LaSalle National Bank (the "Escrow"). All assets of John Lauer, individually and as general partner of Birchwood Partners, and Clifton Capital Investors, L.P. ("CCI") that are traceable to the fraudulent scheme that is the subject of the October 24, 1995 Order must be liquidated for the benefit of the CHA Parties pursuant to the Restitution Order.

2. This Court therefore imposes a constructive trust in favor of the  
CHA Parties on all such Lauer, Birchwood, and CCI assets derived from the fraudulent  
scheme found by this Court in its October 24, 1995 Order, and traceable to the CHA  
Parties, including but not limited to:

1) 109 shares of stock in the Military Channel Inc. that are the  
subject of the November 1997 Stock Purchase Agreement between Birchwood and  
Underhill Management; and

2) Lot 3 of Birchwood Shores Estates subdivision, Aroma Park,  
Illinois.

3. Terence Reardon, attorney, for John  
Lauer, shall turn over all at. to Jennifer Block  
to The Military Channel Inc. to Jennifer Block

ENTERED  
The Honorable John Wayne Anderson

Dated: April 29, 1999

Document Number: 308018

JENNER & BLOCK  
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ONE IBM PLAZA  
CHICAGO, IL 60611-7602



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U.S. DISTRICT COURT