

UNITED STATES OF AMERICA

STATE OF ILLINOIS

COUNTY OF DU PAGE

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

EMIL MAROGIL

FILED

19 Apr 24 PM 01:30

-VS-

2015L000784
CASE NUMBER*Chris Kachroubas*

CLERK OF THE

18TH JUDICIAL CIRCUIT

DUPAGE COUNTY, ILLINOIS

JOHN STERBENZ

ORDER

This matter coming before the Court on the Village of Itasca's Renewed Motion for Summary Judgment, John Sterbenz and J&A Real Estate Development, Inc.'s Motion for Summary Judgment on Count VII, and John Sterbenz and J&A Real Estate Development, Inc.'s Motion to Adopt Prior Dismissal of Count I, and Entry of Summary Judgment on Counts II, III, IV and V, and For Rule 304(a) Certification, and for the reasons stated on the record:

IT IS HEREBY ORDERED:

- 1) John Sterbenz and J&A Real Estate Development, Inc.'s Motion to Adopt Prior Dismissal of Count I, and Entry of Summary Judgment on Counts II, III, IV and V, and For Rule 304(a) Certification is withdrawn.
- 2) Village of Itasca's Renewed Motion for Summary Judgment is granted for reasons stated on the record as to the claims brought by BEC Management, LLC and Dr. Emil M. Marogil Orthodontics, P.C.
- 3) J&A Real Estate Development, Inc.'s Motion for Summary Judgment on Count VII is ruled upon as follows and as stated in the record:
 - The controversy is proper for a declaratory judgment action.
 - The Court declares the rights under the lease that J&A Real Estate Management, Inc. is entitled to rent payment from BEC Management, LLC from June 1, 2015 through January 31, 2016, that no partial refund of May 2015 rent is due, and that BEC is not entitled to return of its security deposit.
- 4) This is a final and appealable order that resolves all claims and motions pending in this matter.

Submitted by: MICHAEL HAEBERLE
Attorney Firm: PATTERSON LAW FIRM
DuPage Attorney Number: 28494
Attorney for: BEC MANAGEMENT LLC
Address: 200 W. MONROE, SUITE 2025
City/State/Zip: CHICAGO, IL, 60606
Phone number: 312-223-1699
Email address : mhaeberle@pattersonlawfirm.com

Entered: *Dorothy French Mallen*
File Date: 04/24/2019

JUDGE DOROTHY FRENCH MALLEEN

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