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

BCS SERVICES, INC., and PHOENIX BOND & INDEMNITY, CO.,

Plaintiffs,

v.

HEARTWOOD 88, INC., et al.,

Defendants.

Case No. 07 cv 1367

Consolidated with Case No. 05 cv 4095

Judge Matthew F. Kennelly

THE SALTA AND HBZ DEFENDANTS' RENEWED JOINT MOTION FOR JUDGMENT AS A MATTER OF LAW

Defendants, Salta Group, Inc. ("Salta"), Marshall Atlas (together with Salta, the "Salta Defendants"), HBZ, Inc. ("HBZ"), Joshua Atlas, Arlene Atlas, Lori Levinson and Judith Berger (together with HBZ, Joshua Atlas, Arlene Atlas and Lori Levinson, the "HBZ Defendants"), hereby renew their Fed. R. Civ. P. 50(a) motion for judgment as a matter of law on Counts III, IV and VII of the Third Amended Complaint (dkt. no. 861). In addition, the Salta/HBZ Defendants adopt and incorporate herein by reference those arguments that apply equally to the claims asserted against the Salta/HBZ Defendants that were advanced in: (1) Motion Pursuant to Fed. R. Civ. P. 50 Submitted on Behalf of the BG Defendants (dkt. no. 861); (2) Motion of Wheeler-Dealer Ltd. and Timothy Gray for Judgment as a Matter of Law (dkt. no. 859); (3) The Sass Defendants' Memorandum of Law in Support of Their Motion for Judgment as a Matter of Law (dkt. no. 858); and (4) The Sass Defendants' Renewed and Supplemental Motion for Judgment as a Matter of Law (dkt. no. 867).

Respectfully submitted,

HBZ, INC., ARLENE ATLAS, JOSHUA ATLAS, LORI LEVINSON and JUDITH BERGER

By: /s/ Athanasios Papadopoulos
One of their attorneys

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By: /s/ Edward M. Genson
One of his attorneys

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MARSHALL ATLAS and SALTA GROUP, INC.

By: /s/ Elisha S. Rosenblum
One of their attorneys

Elisha S. Rosenblum O'HALLORAN, KOSOFF, GEITNER & COOK LLC 650 Dundee Road, Suite 475 Northbrook, IL 60062 (847) 291-0200

CERTIFICATE OF SERVICE

| I hereby certify that on October 31, 2011, I electronically filed the foregoing The Salta |
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| and HBZ Defendants' Renewed Joint Motion for Judgment as a Matter of Law with the |
| Clerk of Court using the CM/ECF system, which shall send notification to all parties of record |
| by operation of the Court's electronic filing system. |

| /s/ | Athanasios Papadopoulos |
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