

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

TRUSTEES OF THE AUTOMOBILE  
MECHANICS INDUSTRY WELFARE AND  
PENSION FUNDS LOCAL 701,

Plaintiffs,

vs.

ELMHURST LINCOLN MERCURY INC., an  
Illinois Corporation, BRIGHT LEASING, INC.,  
an Illinois Corporation, DAVID MEARS,  
individually, SUSAN MORONI, individually,  
and JOHN MORONI, individually,

Defendants.

Case No. 09 CV 1856

Hon. Judge Elaine Bucklo

Magistrate Judge Martin C. Ashman

**FINAL ORDER OF JUDGMENT AS TO INTERVENOR ACTION**

Upon hearing being held April 28, 2011, and after counsel for Defendant John Moroni, and counsel for intervenor, Ford Motor Credit Company, have had an opportunity to meet and confer with respect to the proceeds from the on-line auction conducted on July 22, 2010,

IT IS HEREBY ORDERED THAT:

- (1) The gross proceeds from the auction were \$43,980.00.
- (2) John Moroni is awarded \$1,982.00, from the gross proceeds from the auction. This amount reflects the total amount received at auction for items sold which were identified in the Affidavits executed by John Moroni and Deno Moroni on April 9, 2009;
- (3) Ford Motor Credit Company is awarded \$41,998.00, from the gross proceeds from the auction;
- (4) Auction expenses and costs totaled \$13,097.00. The auction expenses and costs shall be shared between Ford Motor Credit Company and John Moroni on a *pro rata* basis. Ford Motor Credit Company's *pro rata* share is \$12,507.64, and John Moroni's *pro rata* share is \$589.36. John Moroni's *pro rata* share shall be deducted from his \$1,982.00 gross proceeds.
- (5) On March 18, 2011, the Court directed the Clerk of the Northern District of Illinois to deposit auction proceeds into an interest bearing escrow account. The net auction proceeds of \$30,883.00 were deposited by the Clerk.

(6) The Clerk is directed to disburse a check in the amount of \$1392.64 made payable to "John Moroni." The balance of the escrowed funds shall be disbursed in a check made payable to "Ford Motor Credit Company."

Dated: 5/27/11

ENTER:

  
United States District Court Judge