

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

FEDERAL DEPOSIT INS. CORP. AS)	
RECEIVER FOR FOUNDERS BANK,)	
)	
Plaintiff,)	No. 12-cv-5198
)	
v.)	
)	Honorable Judge Andrea R. Wood
CHICAGO TITLE INS. CO., <i>et al.</i> ,)	
)	
Defendants.)	

FDIC-R’S UNOPPOSED MOTION FOR ENTRY OF AMENDED JUDGMENT

Federal Deposit Insurance Corporation as Receiver for Founders Bank (“FDIC-R”) moves for entry of an amended judgment in accordance with the mandate issued by the U.S. Court of Appeals for the Seventh Circuit. Defendants Chicago Title Insurance Company and Chicago Title & Trust Co. (collectively, “Chicago Title”) do not oppose the relief requested herein.

1. On July 16, 2018, this Court entered its initial judgment in this matter for FDIC-R against Chicago Title in the amount of \$1.45 million. [D.E. 410.] On March 10, 2020, this Court entered an amended judgment for FDIC-R against Chicago Title in the amount of \$945,643.56. [D.E. 524.]

2. On August 31, 2021, the Seventh Circuit issued its opinion remanding the case to this Court to reverse the \$500,000 reduction reflected in the amended judgment. [D.E. 603.] Pursuant to that ruling, FDIC-R is entitled to an amended judgment in the principal amount of \$1,445,643.56. On January 28, 2022, the Seventh Circuit ruled that FDIC-R was entitled to post-judgment interest to run from the date of the original judgment, July 16, 2018. [D.E. 602.] Mandate issued that same day. [D.E. 599.]

3. FDIC-R has prepared the attached proposed judgment to reflect the Seventh Circuit's rulings. A word copy of the proposed judgment will also be provided.

For the foregoing reasons, FDIC-R respectfully requests that the Court enter the attached proposed judgment.

Respectfully submitted,

FEDERAL DEPOSIT INSURANCE
CORPORATION AS RECEIVER FOR
FOUNDERS BANK

/s/ J.S. Tonkinson

Stuart Tonkinson
3501 Fairfax Avenue
Arlington VA 22226
Phone: 214-673-7549
jtonkinson@fdic.gov

LOCAL COUNSEL

Monica Maria Tynan (ARDC # 6210307)
300 South Riverside Drive, Suite 1700
Chicago, Illinois 60606
Phone: (312) 382-6555
mtynan@fdic.gov

John Church
3501 Fairfax Drive
Arlington VA 22226
Phone: 703-516-1394
jchurch@fdic.gov

EXHIBIT 1

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

Federal Deposit Insurance Corporation,

Plaintiff(s),

v.

Chicago Title Insurance Company, Chicago Title
And Trust Company,

Defendant(s).

Case No. 1:12-cv-05198
Judge Andrea R. Wood

JUDGMENT IN A CIVIL CASE

Judgment is hereby entered (check appropriate box):

and against defendant(s) Chicago Title Insurance Company and Chicago Title And Trust Company in the amount of \$1,445,643.56,

which includes pre-judgment interest.
 does not include pre-judgment interest.

Post-judgment interest accrues on that amount at the rate provided by law from July 16, 2018.

Plaintiff(s) has fully recovered its costs of court in the amount of \$53,270.69 from defendant(s).

in favor of defendant(s) and against plaintiff(s)

Defendant(s) shall recover costs from plaintiff(s).

other:

This action was (*check one*):

- tried by a jury with Judge Andrea R. Wood presiding, and the jury has rendered a verdict.
- tried by Judge Andrea R. Wood without a jury and the above decision was reached.
- decided by Judge Andrea R. Wood on a motion

Date: __/__/2022

Thomas G. Bruton, Clerk of Court

/s/David Lynn, Deputy Clerk