

# EXHIBIT D

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

FIRSTMERIT BANK, N.A., as Assignee of	)	
the FDIC, receiver for Midwest Bank and	)	
Trust Company,	)	
	)	
Plaintiff,	)	
	)	Case No. 12 C 09567
v.	)	
	)	
ANTIOCH BOWLING LANES, INC.,	)	Judge Joan D. Gottschall
JOSEPH STERBENZ, CHICAGO TITLE	)	
LAND TRUST COMPANY AS SUCCESSOR	)	
TRUSTEE TO LASALLE BANK	)	Property Address:
NATIONAL ASSOCIATION AS TRUSTEE	)	750 W. Route 173
UNDER TRUST AGREEMENT DATED	)	Antioch, IL 60002
AUGUST 16, 1991 AND KNOWN AS	)	
TRUST NUMBER 114403-02, KENNETH	)	
STERBENZ, MIDWEST BANK AND	)	
TRUST COMPANY, MORNING DEW	)	
EXTERIORS, INC.,	)	
	)	
Defendants.	)	

**ORDER**

This cause coming before the court on the Plaintiff's Motion for Entry of Judgment of Foreclosure, due notice having been given, and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT Defendant Midwest Bank and Trust Company is voluntarily dismissed from this action, without prejudice, and shall bear its own costs.

Dated: \_\_\_\_\_

Entered: \_\_\_\_\_

Richard T. Reibman  
[rreibman@thompsoncoburn.com](mailto:rreibman@thompsoncoburn.com)  
 Emily L. Peel  
[epeel@thompsoncoburn.com](mailto:epeel@thompsoncoburn.com)  
 Thompson Coburn LLP  
 55 East Monroe Street  
 Chicago, IL 60603  
 Tel: (312) 346-7500  
 Fax: (312) 782-3801