

from a promissory note attached to the Amended Complaint as Exhibit A to the Amended Complaint (“Note”).

3. Count III asserts a cause of action against DWG Corporation arising from its indebtedness under the Note.

4. This Court has original jurisdiction over this civil action based on diversity of citizenship pursuant to 28 U.S.C. §1332, since Plaintiff and each defendant are citizens of different states (Ohio and Illinois and Indiana, respectively) and the amount in controversy in exceeds \$75,000.00. Defendants stipulate and agree that the allegations of Plaintiff’s Amended Complaint are confessed against each of the Defendants and that final judgment shall be entered, jointly and severally, against each of the Defendants, to which each of the Defendants hereby consents, thereby adjudicating all claims in Plaintiff’s Amended Complaint; subject to the terms of the 8th Modification to Forbearance Agreement (“Modification Agreement”) between and among the parties. A true and correct copy of the stipulated judgment by consent approved by counsel for the parties is attached as Exhibit A (the “Consent Judgment”).

5. The parties stipulate and agree that the amount due to Plaintiff under the Note, Guaranties, and the Modification Agreement, as of January 22, 2014, is as follows:

Principal	\$9,355,000.00
Interest	1,297,618.19
Deferred Forbearance Fee	100,000.00
Extension Fee	500,000.00
Late Fees	29,610.01
Appraisal Fees	16,800.00
Attorneys Fees	210,872.05

Total: \$11,509,900.25 plus interest at the rate of **\$1,948.96** per diem for the period of January 22, 2014 through the date of the entry of the this Order, and thereafter, post-judgment interest at the rate of 7.5% per annum.

6. Entry of the consent judgment adjudicates all issues against all parties alleged in Plaintiff's Amended Complaint and constitutes final judgment.

Plaintiff, FirstMerit, prays that this Court:

1. Enter the Consent Judgment in favor of Plaintiff and against Defendants, jointly and severally, by agreement of the parties;
2. Find, based on the consent and agreement of Defendants, that Plaintiff is entitled to judgment against Defendants pursuant to Counts I, II and III of Plaintiff's Amended Complaint;
3. Find that the Consent Judgment constitutes a final judgment with respect to all claims pleaded in Plaintiff's Amended Complaint against all Defendants and constitutes the final order of the Court; and
4. For such further relief as this Court deems just and equitable.

FIRSTMERIT BANK, NA, as
successor in interest to Federal
Deposit Insurance Corporation, as
Receiver for Midwest Bank and
Trust Company

By: s/Gregory A. McCormick

Gregory A. McCormick (#6201621)
Keith A. Chadwick (#6200984)
GARFIELD & MEREL, LTD.
180 N. Stetson Avenue, Suite 1300
Chicago, IL 60601
(312) 288-0105