

EXHIBIT A

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

First-Citizens Bank & Trust Company, a)	
North Carolina chartered commercial)	
bank, as successor in interest to Temecula)	
Valley Bank,)	
)	
Plaintiff,)	Case No. 15 cv 07485
)	
v.)	
)	
Cynthia J. Vogt a/k/a Cynthia Vogt, an)	Judge John J. Tharp, Jr.
individual, Clarence B. Vogt, an individual,)	
Vogt Enterprise, Inc., an Illinois corporation,)	
Smart Bros. Inc., an Illinois corporation, and)	
Dearborn Wholesale Grocers, L.P., an Illinois)	
limited partnership,)	
)	
Defendants.)	

**PROPOSED JUDGMENT FOR FORECLOSURE AND
ORDER REGARDING SUBORDINATED STATUS OF
DEFENDANT SMART BROS.’ INTEREST, IF ANY, IN REAL ESTATE**

THIS MATTER having come before the Court on First-Citizens Bank & Trust Company’s (“First-Citizens”) Motion for Entry of Judgment for Foreclosure and Other Relief (“Motion”);

THE COURT HEREBY FINDS:

1. The Court has jurisdiction over this matter, pursuant to, without limitation, 28 U.S.C. 1332.
2. Due and proper notice of the Motion has been given to the Defendants.
3. The Court has reviewed the Motion, and has been advised in open Court by counsel for the Receiver, and counsel for First-Citizens.
4. The allegations of the Motion are uncontested; further, the allegations are also supported by the record in this case.

5. For the reasons set forth in the Motion, First-Citizens is entitled to the relief it seeks in the Motion.

WHEREFORE, it is hereby ORDERED, ADJUDGED AND DECREED:

1. A judgment of foreclosure is hereby entered in favor of First-Citizens and against Defendants Cynthia J. Vogt, Clarence B. Vogt, Vogt Enterprises, and Dearborn Wholesale Grocers, LP, and their respective right, title and interest in the Real Property legally described in the Complaint and commonly known as 3201 N. Lewis Avenue in Waukegan, Illinois (the “Real Property”) is hereby extinguished.

2. The interest, if any, of Defendant Smart Bros. Inc. in the Real Property is wholly subordinate and inferior to the valid and perfected first and prior mortgage of Plaintiff First-Citizens Bank and Trust Company.

3. This order is a final order, and not interlocutory, with respect to the matters covered herein.

4. Nothing herein shall be construed relief sought by the Receiver in his Motion to Approve Sale of the Real Property to the Stalking Horse Purchaser.

ENTERED:

By: _____
United States District Court Judge

Dated: _____

Order Prepared By:

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