

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CITIBANK, N.A., a national banking association,)
)
 Plaintiff,)
)
 vs.)
)
 INTERFACE PROTEIN TECHNOLOGY INC., an)
 Illinois corporation,)
)
 and)
)
 CHARLES XIAO QING HAN (also known as)
 CHARLES X. HAN, CHARLES HAN, CHARLES)
 XIAO-QING HAN, CHARLES XIAOQING HAN,)
 XIAO QING CHARLES HAN, XIAOQING HAN,)
 XIAO-QING HAN and HAN XIAOQING), an)
 individual,)
)
 and)
)
 MINDY MINGXIA LIU (also known as MINDY M.)
 LIU, MINGXIA MINDY LIU, MINGXIA LIU, and)
 MING-XIA LIU), an individual,)
)
 Defendants.)

Case No. 1:17-cv-00207

**JOINT MOTION FOR ENTRY OF JUDGMENT
IN FAVOR OF PLAINTIFF CITIBANK, N.A. AND AGAINST
DEFENDANTS CHARLES XIAO QING HAN AND MINDY MINGXIA LIU**

Plaintiff Citibank, N.A. and Defendants Charles Xiao Qing Han (“Han”) and Mindy Mingxia Liu (“Liu”) jointly move for the entry of a Consent Judgment, and in support thereof state as follows:

1. On January 11, 2017, Plaintiff filed its Complaint (the “Complaint”) including a Count for breach of Note and Loan Agreement against Defendant Interface Protein Technology Inc., and a Count for breach of Guarantee against each of Defendants Han and Liu relating to the Loan more particularly described in the Complaint.

2. Defendants filed their Answer and Defenses to the Complaint on March 7, 2017 reflecting little at issue between the parties respecting the Loan described in the Complaint.

3. On July 5, 2017, during a status hearing before the Court, counsel for Defendants informed Plaintiff and the Court that Defendants wish to resolve this proceeding and their respective obligations on the Loan and Loan Documents described in the Complaint by entry of a Consent Judgment. Accordingly, the Case was set for status hearing on August 9, 2017 to enable the parties to submit a Consent Judgment for this Court's consideration.

4. On July 16, 2017 (the "Petition Date"), Defendants Han and Liu filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code (the "Bankruptcy Code"), in the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division (the "Bankruptcy Court"), commencing a case designated as In re Charles Xiaoqing Han and Mindy Mingxia Liu, Case No. 17-21154 (the "Bankruptcy Case").

5. Pursuant to a Joint Motion for Entry of Consent Judgment filed with this Court on behalf of Plaintiff and Defendants on August 3, 2017, this Court entered a Consent Judgment on August 9, 2017, with respect to the Loan, the Note and the Loan Agreement described in the Complaint in favor of Plaintiff and against Defendant Interface Protein Technology Inc.

6. Following entry of the Consent Judgment against Defendant Interface Protein Technology Inc., the Court continued this Case for status hearing to enable the Bankruptcy Case to develop further, and in particular, to enable a "Section 341" Meeting of Creditors to transpire.

7. On October 20, 2017, the Bankruptcy Court dismissed the Bankruptcy Case for "unreasonable delay". A Section 341 Meeting of Creditors was never held in the Bankruptcy Case.

8. Counsel to Han and Liu notes that he reached out to them to verify their position in this case and was advised that they plan to reinstitute a bankruptcy proceeding. Counsel to

Defendants is unaware of any new bankruptcy proceeding or defense to entry of a Judgment on the Counts asserted in the Complaint against Han and Liu for breach of contract as proposed by this Motion.

9. The parties have agreed to the entry of a Consent Judgment with respect to the Guarantees described in the Complaint in favor of Plaintiff and against Defendants Han and Liu. in the form attached hereto as **Exhibit A**. A separate copy of a proposed Judgment respecting Han and Liu is being submitted to the Court concurrently with the filing of this Motion at Proposed_Order_Blakey@ilnd.uscourts.gov in compliance with the Court's standing order.

For these reasons, Plaintiff Citibank, N.A. and Defendants Han and Liu respectfully request that this Court enter the proposed Consent Judgment attached hereto as **Exhibit A**.

Dated: October 27, 2017

Consented to and prepared by:

Seen and agreed to:

On behalf of Plaintiff, Citibank, N.A.

On behalf of Defendant Interface Protein Technology, Inc.

By: /s/ Cheryl A. Kelly
Todd A. Rowden (ARDC #6201929)
Cheryl A. Kelly (ARDC #6203101)
Audrey D. Mense (ARDC #6302524)
Thompson Coburn LLP
55 E. Monroe Street
Chicago, IL 60603
Ph: 312-346-7500
trowden@thompsoncoburn.com
ckelly@thompsoncoburn.com
amense@thompsoncoburn.com

By: /s/ Michael C. Whitticar
Michael C. Whitticar
NOVA IP Law, PLLC
7001 Heritage Village Plaza, Suite 205
Gainesville, VA 20155
Phone: 571-334-2671
Fax: 855-295-0740
E-Mail: mikew@novaiplaw.com;
novaiplaw@gmail.com

CERTIFICATE OF SERVICE

The undersigned certifies that on October 27, 2017, a true and correct copy of the foregoing **Joint Motion for Entry of Consent Judgment Solely Against Defendants Charles Han and Mindy Liu** was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon all counsel of record.

/s/ Cheryl A. Kelly
