

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

JACK TUCHTEN WHOLESALE PRODUCE, :
INC., and STRUBE CELERY & VEGETABLE CO., :
et al., :

Plaintiffs :

v. :

ROCKFORD WHOLESALE PRODUCE, INC., :
ELAINE SOLURI, and SAM D’AMATO, :

Defendants :

Case No. 1:17cv03065
Judge: Hon. Elaine E. Bucklo
Magistrate Judge Maria Valdez

CONSENT ORDER AND JUDGMENT

On this ___ day of July, 2017, Plaintiffs, Jack Tuchten Wholesale Produce, Inc. and Strube Celery & Vegetable Co., and Intervening Plaintiffs, Anthony Marano Company, La Galera Produce, LLC, and Mandolini Co., Inc., and Defendants, Rockford Wholesale Produce, Inc., Elaine Soluri, and Sam D’Amato, by counsel, hereby agree to entry of this Consent Order and Judgment against Defendants, jointly and severally, for liability arising under Section 5(c) of the Perishable Agricultural Commodities Act, 7 U.S.C. §499(e)(c) ("PACA"), and the Court, upon consideration of the same and finding it appropriate to do so, it is hereby:

HELD, that Rockford Wholesale Produce, Inc. (“Rockford Wholesale”), Elaine Soluri, individually (“Soluri”), and Sam D’Amato, individually (D’Amato”), have breached the trust provisions of the Perishable Agricultural Commodities Act, 7 U.S.C. Sec. 499(c); and it is further,

ORDERED, that Judgment is hereby entered in favor of Jack Tuchten Wholesale Produce, Inc. and against Rockford Wholesale Produce, Inc., Elaine Soluri, and Sam D'Amato, jointly and severally, in the amount of \$31,515.29, plus post-judgment interest at the rate specified in 28 U.S.C. 1961 until paid, all of which qualifies for protection under PACA, until satisfied, for which let execution issue; and it is further,

ORDERED, that Judgment is hereby entered in favor of Strube Celery & Vegetable Co. and against Rockford Wholesale Produce, Inc., Elaine Soluri, and Sam D'Amato, jointly and severally, in the amount of \$13,004.15, plus post-judgment interest at the rate specified in 28 U.S.C. 1961 until paid, all of which qualifies for protection under PACA, until satisfied, for which let execution issue; and it is further,

ORDERED, that Judgment is hereby entered in favor of Anthony Marano Co. and against Rockford Wholesale Produce, Inc., Elaine Soluri, and Sam D'Amato, jointly and severally, in the amount of \$19,378.66, plus post-judgment interest at the rate specified in 28 U.S.C. 1961 until paid, all of which qualifies for protection under PACA, until satisfied, for which let execution issue; and it is further,

ORDERED, that Judgment is hereby entered in favor of La Galera Produce, LLC. and against Rockford Wholesale Produce, Inc., Elaine Soluri, and Sam D'Amato, jointly and severally, in the amount of \$8,854.23, plus post-judgment interest at the rate specified in 28 U.S.C. 1961 until paid, all of which qualifies for protection under PACA, until satisfied, for which let execution issue; and it is further,

ORDERED, that Judgment is hereby entered in favor of Mandolini Co. Inc. and against Rockford Wholesale Produce, Inc., Elaine Soluri, and Sam D'Amato, jointly and severally, in the amount of \$13,853.73, plus post-judgment interest at the rate specified in 28 U.S.C. 1961 until

paid, all of which qualifies for protection under PACA, until satisfied, for which let execution issue.

SO ORDERED this _____ day of _____, 2017.

Hon. Elaine E. Bucklo
U.S. District Court for the Northern District of
Illinois

ACKNOWLEDGED AND AGREED:

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