

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

BMO HARRIS BANK N.A.,

Plaintiff,

v.

MALASZUK SPECIALIZED LOGISTICS,
LLC, a Wisconsin limited liability company,
JOHN MALASZUK, an individual,

Case No. 3:15-cv-00191

Defendants.

~~PROPOSED~~ ORDER ENTERING SUMMARY JUDGMENT

This matter having come before the Court on the motion of BMO Harris Bank N.A. (“Plaintiff”) for summary judgment (the “Motion”); due notice having been given to Defendants, Malaszuk Specialized Logistics, LLC and John Malaszuk (collectively, the “Defendants”); the Court having personal and subject matter jurisdiction over this case and the parties thereto; and upon consideration of the evidence submitted to this Court and the Court otherwise being fully advised of the premises; the Court finds that there is no genuine issue as to any material fact and that Plaintiff is entitled to judgment as a matter of law on all counts of the complaint.

IT IS HEREBY ORDERED THAT:

- A. Plaintiff’s Motion for Summary Judgment is GRANTED;
- B. Judgment is hereby entered in favor of BMO Harris Bank N.A. and against John Malaszuk in the amount of \$383,952.72, plus interest accruing at the rate of \$159.85 *per diem* from December 23, 2015, through the date of this Order, plus post-judgment interest accruing thereafter;

C. Judgment is hereby entered in favor of BMO Harris Bank N.A. and against Malaszuk Specialized Logistics, LLC in the amount of \$164,707.63, plus interest accruing at the rate of \$68.85 *per diem* from December 23, 2015, through the date of this Order, plus post-judgment interest accruing thereafter;

D. In addition to paragraphs A and B above, judgment is hereby entered in favor of BMO Harris Bank N.A. and against Defendants, jointly and severally, in the amount of \$6,590.35, plus interest accruing at the rate of \$2.59 *per diem* from December 23, 2015, through the date of this Order, plus post-judgment interest accruing thereafter; and

E. This Court retains jurisdiction to enforce this Order.

Dated: May 6, 2016

Barbara B. Crebb
United States District Judge

Order Prepared by:

Timothy S. Harris
Kelley A. Tibble
Reed Smith LLP
10 S. Wacker Drive, 40th FL
Chicago, IL 60606
(312) 207-1000
Fax: (312) 207-6400
tharris@reedsmith.com
ktibble@reedsmith.com

Counsel for Plaintiff BMO Harris Bank N.A.