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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS - EASTERN DIVISION

JAMES H. DESNICK, M.D.S.C., and
J. H. DESNICK, M.D. EYE SERVICES,
LTD.

Plaintiff,

v.

MIDWEST VISION, P.C. AND
DEREK DAWSON, M.D.,

Defendants.

No. 96 C 5022

Judge Holderman

96059933

Document is
DRAFT ORDER
NOT OFFICIAL!

THIS CAUSE coming to be heard on Plaintiffs, James H. Desnick, M.D.S.C. and J. H. Desnick, M.D. Eye Services Ltd., motion for entry of a judgment by confession and an Order of Replevin against Defendants, Midwest Vision, P.C. and Derek Dawson, M.D., all parties having due notice and the Court being fully advised in the premises;

IT IS HEREBY ORDERED:

1. THAT judgment by confession is entered against Midwest Vision, P.C. and Derek Dawson, M.D., jointly and severally, and in favor of James H. Desnick, M.D.S.C. and J. H. Desnick, M.D. Eye Services, Ltd. in the amount of \$99,816.41 plus costs of suit;

2. THAT unless Defendants execute a bond and security for double the value of the property in accordance with 735 ILCS 5/19-116, the United States Marshall, or other appropriate officer of the applicable county, take the following property from the possession of Defendants and deliver same to the Plaintiffs:

all inventory, chattel paper, accounts, accounts receivable, equipment and general intangibles; all accessions, additions, replacements, and substitutions relating to any of the foregoing; all records of any kind relating to any of the foregoing;

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MARGARET S. CLELAND
RECORDER

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

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all proceeds relating to any of the foregoing (including insurance, general intangibles and other accounts proceeds).

(ii) That if any of said property is not found and delivered to the United States Marshall or other officer, Defendants be required to turn over to the United States Marshall or other officer funds equalling the value of any such property.

(iii) That in connection herewith, but not in limitation hereof, all persons or entities who are indebted to Defendants for trade debts and accounts receivable including without limitation, any sums owed to Defendants by any third party payor for medical services such as Medicare, the State of Indiana or Illinois, or any private insurer, direct payment of all sums due and owing Midwest Vision, P.C. or Derek Dawson, M.D. to Plaintiff.

3. THAT Defendants shall not sell, transfer, impair, dispose of, remove or in any way encumber any of the property identified in paragraph 2 hereof at any time pending the final resolution and disposition of this matter.

4. THAT Defendants shall answer Plaintiffs' Complaint in this cause on or before 8-29, 1996.

Dated: August 29, 1996



ENTERED

James F. Holderman
Judge James F. Holderman
United States District Judge

Michael T. Trucco (06183389)
Peter A. Gaido (06201144)
STAMOS & TRUCCO
Ten North Dearborn, Fifth Floor
Chicago, IL 60602
(312) 630-7979

A true copy-Attest
H. Stuart Cunningham, Clerk
By: *Kathleen Braub*
Deputy Clerk
U. S. District Court, Northern
District of Illinois
Date: AUG 29 1996