

**ILLINOIS INDEPENDENT
TAX TRIBUNAL**

DAVID APPLEBY,)	
Petitioner,)	
)	
v.)	14 TT 176
)	Chief Judge James M. Conway
ILLINOIS DEPARTMENT)	
OF REVENUE,)	
Respondent)	

MOTION TO SUPPLEMENT
PETITION EXHIBITS

NOW COMES the Petitioner, David Appleby:

1. Petitioner inadvertently failed to attach Exhibits E and F to the Petition.
2. Enclosed is a copy of the Petition Supplemented with Exhibits E and F referred to in the Petition.

WHEREFORE, Petitioner requests that Exhibits E and F Supplement the Petition.

Respectfully submitted,



Gregory J. Ellis
Attorney for the Petitioner

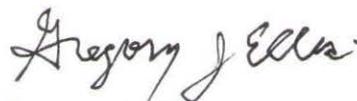
Gregory J. Ellis, Esq., Ltd.
5 Covered Bridge Road
South Barrington, IL 60010
847-842-0999
Attorney # 3127073

5. The case was closed because Mr. Appleby's partner Mr. Antenore had been indicted by the Attorney General's office and found guilty of tax fraud. (Exhibit C) Mr. Appleby was not charged and was cleared of all involvement.
6. Mr. Appleby was not a signer on the business checking account. He had no power, status, nor authority to pay sales tax. (Exhibit D)
7. The case was closed against Petitioner by Order of May 9, 2014, the Illinois Department of Revenue stated that, "All proceedings before the Administrative Hearing Division of the Illinois Department of Revenue relative to this case have been concluded and this matter is therefore closed." (Exhibit E)
8. On May 9, 2014, Administrative Law Judge Kenneth Galvin entered an Order following the Department of Revenue's withdrawal of the Notice of Penalty Liability as to David Appleby. (Exhibit F)
9. The Order stated, "The Notice of Penalty Liability issued to David Appleby and captioned above, and all further proceedings in this case are hereby cancelled." (Exhibit F)
10. On May 20, 2014 the Department of Revenue issued a Personally Liability Penalty Withdrawal for #760575 (\$640,485.66).
11. The cause of action, the case, amounted to unpaid sales tax at a gas station in Arlington Heights, IL. David Appleby was a silent partner in the business. His partner was found guilty of sales tax fraud. David Appleby was not charged and had nothing to do with the tax fraud. The Department of Revenue cleared Mr. Appleby of any wrongdoing and dropped the case against him.

12. The gas station itself continued to be open and operating by Mr. Antenore through 2012.
He did not pay sales tax nor the mortgage.
13. A Foreclosure Action was filed in June of 2012 against the company Data Shell, Inc., Mr. Antenore, Mr. Appleby, et al. The gas station was closed in late 2012.
14. A Judicial Sale by auction was held on March 12, 2013. (Exhibit E Repost of Sale and Distribution by Receiver)
15. Neither Mr. Appleby, Mr. Antenore, nor Data Shell, Inc. did not receive any proceeds of the Sale. There was a deficiency of (\$243,638.80) due to the mortgage bank. (Exhibit E)
16. Mr. Appleby's defense to the sales tax liability in 2012 is the same. He never received any profits or money from the business in 2011 or 2012. He was not involved.
17. The Dismissal Orders failed to include and extinguish several liens against Mr. Appleby's home. (Exhibits A and B)
18. Exhibits A and B lists all the outstanding liens and Collection Actions which are pending and did not merge with the Dismissal Orders of May 9, 2014.
19. Mr. Appleby has no further liability arising out of this case pursuant to the May 9, 2014 Orders. (Exhibits E and F)

WHEREFORE, Mr. Appleby requests that this Administrative Judge Order the Department of Revenue, through its attorney, to properly dismiss all pending liens and Collection Actions against Petitioner related to this case. (Exhibits A and B)

Respectfully submitted,



Gregory J. Ellis
Attorney for Petitioner David Appleby

Gregory J. Ellis, Esq., Ltd.
5 Covered Bridge Road
South Barrington, IL 60010
Attorney #3127073

Exhibit A



Illinois Department of Revenue
OFFICE OF ADMINISTRATIVE HEARINGS
Willard Ice Building
101 West Jefferson Street – Level 5SW
Springfield, IL 62702
(217)782-6995

September 4, 2014

Gregory J. Ellis, Esq.
18 Executive Court
South Barrington, IL 60010

Re: **Late Discretionary Hearing Granted – Tribunal Jurisdiction**
David Appleby, Responsible Officer of Arlington CITGO Inc.
Account ID: 3372-7295
NPL: 500205 · Letter ID: L0954469152
1560780 · Letter ID: L0806768864
2380221 · Letter ID: L0854059456
11300325 · Letter ID: CNXXXX2377513283
1002D: 2780214 · Letter ID: CNXXX16931716487
11320314 · Letter ID: CNXXX12989655362

Dear Mr. Ellis:

The Office of Administrative Hearings of the Illinois Department of Revenue received your request for a late discretionary hearing for David Appleby regarding the above Notices. Based on the information provided in your request, I believe that it is appropriate to grant your request for a late discretionary hearing for the above Notices.

The amount of liabilities at issue for this protest exceeds the statutory amount (\$15,000, exclusive of penalties and interest) or (\$15,000 for notices that involve only penalties and interest) for which the Department has jurisdiction for late discretionary hearings that are granted on or after January 1, 2014. For late discretionary hearings that are granted on or after January 1, 2014 and that exceed the statutory amount, jurisdiction is vested solely in the Illinois Independent Tax Tribunal (Tax Tribunal). See 35 ILCS 1010/1-1 *et seq.*

The Tax Tribunal's website (www.illinois.gov/taxtribunal) contains rules that include guidance on filing requirements and contact information for the Tax Tribunal. **The Tax Tribunal's rules provide that, when a late discretionary hearing is granted and the protest meets the statutory amount, the taxpayer shall file a petition with the Tax Tribunal within**

60 days and shall attach a copy of the letter granting the late discretionary hearing. See Subsection (a)(5) of Section 5000.310 of the Tax Tribunal's rules. Please note that the Tax Tribunal has different requirements than the Department for filing protests, including the payment of filing fees and the filing of a petition in the form required by the Tax Tribunal.

I recommend that you review the information provided on the Tax Tribunal's website and contact them if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Charlton", written in a cursive style.

Terry D. Charlton
Chief Administrative Law Judge
Illinois Department of Revenue

TDC:vs

Exhibit B

Collection Action
Assessment and Notice of Intent



August 22, 2012



Letter ID: L0954469152

DAVID APPLEBY
1271 BURR OAK LN
BARRINGTON IL 60010-3416

Taxpayer ID: XXX-XX-2811
NPL Penalty ID: 500205



ARLINGTON CITGO INC
2113 N ARLINGTON HEIGHTS RD
ARLINGTON HEIGHTS, IL 60004-3110

**We have determined you are personally liable
for a penalty of \$22,901.56.**

The penalty is equal to the amount of unpaid liability of ARLINGTON CITGO INC , due to your status as a responsible officer, partner, or individual of ARLINGTON CITGO INC .

Illinois law (35 ILCS 735/3-7) provides that any person who has control, supervision, or responsibility of filing returns or making payments for a taxpayer, and who willfully fails to do so, shall be personally liable for a penalty equal to the amount of tax due including penalty and interest.

Pay us \$22,901.56. Your payment must be guaranteed (*i.e.*, cashier's check, money order) and made payable to the Illinois Department of Revenue. Send or bring it to us at the address below.

If you do not agree that you are personally responsible for all or any of this liability, you may file a protest and request an administrative hearing within 60 days of the date of this notice. If you do not file a protest within the time allowed, you will give up your right to a hearing and this liability will become final. An administrative hearing is a formal legal proceeding that is conducted under the rules of evidence. An administrative law judge will preside over this hearing. You may be represented by your attorney. A protest of this notice does not preserve your rights under any other tax notice.

If the debt remains unpaid and this penalty becomes final, we intend to take collection enforcement action against you personally to collect this debt. Collection action can include the seizure and sale of your assets, and levy of your wages and bank accounts.

DEBBIE PAONI
100% PENALTY UNIT
ILLINOIS DEPARTMENT OF REVENUE
PO BOX 19035
SPRINGFIELD IL 62794-9035

For information about
› how to pay
› submitting proof
› collection actions

Turn page

217 782-9904 ext. 31607
217 785-2635 fax

Collection Action
Assessment and Notice of Intent



August 22, 2012



Letter ID: L0954469152

DAVID APPLEBY
1271 BURR OAK LN
BARRINGTON IL 60010-3416

Taxpayer ID: XXX-XX-2811
NPL Penalty ID: 500205



This statement lists our most recent information about your unpaid balance, available credits, or returns you have not filed. A payment voucher is included so you may pay the balance due.

Sales/Use Tax & E911 Surcharge

Account ID: 3372-7295

Period	Tax	Penalty	Interest	Other	Payments/Credits	Balance
31-Jan-2012	22,509.00	394.56	-	-	(19,501.28)	3,402.28
29-Feb-2012	21,196.00	575.25	-	-	(16,713.60)	5,057.65
31-Mar-2012	27,124.00	942.16	-	-	(19,435.04)	8,631.12
30-Apr-2012	20,470.00	658.59	-	-	(15,318.08)	5,810.51

IDOR-5P-NPL (N-03/07)

Retain this portion for your records.

Fold and detach on perforation. Return bottom portion with your payment.

Collection Action

(R-12/08) (136)



Letter ID: L0954469152
DAVID APPLEBY

Total amount due: \$22,901.56

Write the amount you are paying below.

Mail this voucher and your payment to:
ILLINOIS DEPARTMENT OF REVENUE
PO BOX 19035
SPRINGFIELD IL 62794-9035

\$ _____
Write your Taxpayer ID on your check.

000 006 012568003525 731 123199 5 0000002290156

Collection Action
Assessment and Notice of Intent



December 2, 2013



Letter ID: L0806768864

DAVID APPLEBY
1271 BURR OAK LN
BARRINGTON IL 60010-3416

Taxpayer ID: XXX-XX-2811
NPL Penalty ID: 1560780



ARLINGTON CITGO INC
271 PEMBROOK LN
MUNDELEIN, IL 60060-2546

**We have determined you are personally liable
for a penalty of \$249,113.03.**

The penalty is equal to the amount of unpaid liability of ARLINGTON CITGO INC , due to your status as a responsible officer, partner, or individual of ARLINGTON CITGO INC .

Illinois law (35 ILCS 735/3-7) provides that any person who has control, supervision, or responsibility of filing returns or making payments for a taxpayer, and who willfully fails to do so, shall be personally liable for a penalty equal to the amount of tax due including penalty and interest.

Pay us \$249,113.03. Your payment must be guaranteed (i.e., cashier's check, money order) and made payable to the Illinois Department of Revenue. Send or bring it to us at the address below.

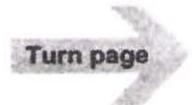
If you do not agree that you are personally responsible for all or any of this liability, you may file a protest and request an administrative hearing within 60 days of the date of this notice. If you do not file a protest within the time allowed, you will give up your right to a hearing and this liability will become final. An administrative hearing is a formal legal proceeding that is conducted under the rules of evidence. An administrative law judge will preside over this hearing. You may be represented by your attorney. A protest of this notice does not preserve your rights under any other tax notice.

If the debt remains unpaid and this penalty becomes final, we intend to take collection enforcement action against you personally to collect this debt. Collection action can include the seizure and sale of your assets, and levy of your wages and bank accounts.

DEBBIE PAONI
100% PENALTY UNIT
ILLINOIS DEPARTMENT OF REVENUE
PO BOX 19035
SPRINGFIELD IL 62794-9035

217 782-9904 ext. 31607
217 785-2635 fax

For information about
› how to pay
› submitting proof
› collection actions



Collection Action
Assessment and Notice of Intent



December 2, 2013



Letter ID: L0806768864

DAVID APPLEBY
1271 BURR OAK LN
BARRINGTON IL 60010-3416

Taxpayer ID: XXX-XX-2811
NPL Penalty ID: 1560780



This statement lists our most recent information about your unpaid balance, available credits, or returns you have not filed. A payment voucher is included so you may pay the balance due.

Sales/Use Tax & E911 Surcharge

Account ID: 3372-7295

Period	Tax	Penalty	Interest	Other	Payments/Credits	Balance
31-Mar-2012	169,725.00	59,133.00	8,777.19	-	-	237,635.19
30-Apr-2012	7,924.00	3,427.00	126.84	-	-	11,477.84

IDOR-5P-NPL (N-03/07)

Retain this portion for your records.

Fold and detach on perforation. Return bottom portion with your payment.

Collection Action

(R-12/08) (136)



Letter ID: L0806768864
DAVID APPLEBY

Total amount due: \$249,113.03

Write the amount you are paying below.

\$ _____

Write your Taxpayer ID on your check.

Mail this voucher and your payment to:
ILLINOIS DEPARTMENT OF REVENUE
PO BOX 19035
SPRINGFIELD IL 62794-9035

000 006 007463337121 731 123199 1 0000024911303

Collection Action
Notice of Intent



December 6, 2011



Letter ID: L0352211232

DAVID APPLEBY
1271 BURR OAK LN
BARRINGTON IL 60010-3416

Taxpayer ID: XXX-XX-2811
NPL Penalty ID: 2380221



ARLINGTON CITGO INC
2113 N ARLINGTON HEIGHTS RD
ARLINGTON HEIGHTS, IL 60004-3110

**We intend to issue a levy against your assets
unless you pay us.**

You must pay us **\$124,333.44** by **December 27, 2011**. If you do not, we intend to issue a levy for this amount against your assets without further notice to you.

A levy means we can, by legal authority, take your assets held by someone else. Examples of assets we may levy include your wages, contractual payments, bank accounts, and accounts receivables.

The following pages detail the items that need your immediate attention.

If you have any questions about this notice, please contact us immediately at the address and phone number listed below.

JOSEPHINE PASLEY
ILLINOIS DEPARTMENT OF REVENUE
9511 W HARRISON ST
DES PLAINES, IL 60016-1562

847 294-4065
847 294-4214 fax

For information about
› how to pay
› what you owe
› collection actions

Turn page

Collection Action
Notice of Intent



December 6, 2011



Letter ID: L0352211232

DAVID APPLEBY
 1271 BURR OAK LN
 BARRINGTON IL 60010-3416

Taxpayer ID: XXX-XX-2811
 NPL Penalty ID: 2380221



This statement lists our most recent information about your unpaid balance, available credits or returns you have not filed.

ST-1 Sales and Use Taxes

Account ID: 3372-7295

Period	Tax	Penalty	Interest	Other	Payments/Credits	Balance
31-Dec-2009	17,754.00	1,291.85	321.16	0.00	(10,282.60)	9,084.41
28-Feb-2010	25,130.00	2,123.85	592.85	0.00	(7,391.55)	20,455.15
31-Mar-2010	30,148.00	2,494.13	648.60	0.00	(8,706.70)	24,584.03
30-Apr-2010	29,116.00	2,531.03	575.23	0.00	(7,765.70)	24,456.56
31-May-2010	28,807.00	809.96	25.91	0.00	(29,118.00)	524.87
31-Jul-2010	27,280.00	2,246.72	320.24	0.00	(8,312.80)	21,534.16
31-Aug-2010	29,155.00	2,530.25	281.51	0.00	(8,272.50)	23,694.26
					Total Balance:	124,333.44

Collection Action
Notice of Intent



December 6, 2011



Letter ID: L1281891456

DAVID APPLEBY
1271 BURR OAK LN
BARRINGTON IL 60010-3416

Taxpayer ID: XXX-XX-2811
NPL Penalty ID: 11300325



ARLINGTON CITGO INC
2113 N ARLINGTON HEIGHTS RD
ARLINGTON HEIGHTS, IL 60004-3110

**We intend to issue a levy against your assets
unless you pay us.**

You must pay us **\$75,823.23** by **December 27, 2011**. If you do not, we intend to issue a levy for this amount against your assets without further notice to you.

A levy means we can, by legal authority, take your assets held by someone else. Examples of assets we may levy include your wages, contractual payments, bank accounts, and accounts receivables.

The following pages detail the items that need your immediate attention.

If you have any questions about this notice, please contact us immediately at the address and phone number listed below.

JOSEPHINE PASLEY
ILLINOIS DEPARTMENT OF REVENUE
9511 W HARRISON ST
DES PLAINES, IL 60016-1562

847 294-4065
847 294-4214 fax

For information about
› how to pay
› what you owe
› collection actions

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Collection Action

Notice of Intent



December 6, 2011



Letter ID: L1281891456

DAVID APPLEBY
1271 BURR OAK LN
BARRINGTON IL 60010-3416

Taxpayer ID: XXX-XX-2811
NPL Penalty ID: 11300325



This statement lists our most recent information about your unpaid balance, available credits, or returns you have not filed.

ST-1 Sales and Use Taxes

Account ID: 3372-7295

Period	Tax	Penalty	Interest	Other	Payments/Credits	Balance
31-Dec-2006	44,080.00	15,304.04	13,523.04	0.00	(58,183.79)	14,723.29
28-Feb-2009	9,364.00	1,252.04	337.92	0.00	(9,389.00)	1,564.96
31-Mar-2009	9,392.00	1,137.50	47.60	0.00	(9,392.00)	1,185.10
30-Apr-2009	9,934.00	1,264.96	34.20	0.00	(9,934.00)	1,299.16
31-May-2009	10,307.00	500.66	15.30	0.00	(10,307.00)	515.96
30-Jun-2009	15,240.00	2,608.70	431.74	0.00	(15,240.00)	3,040.44
30-Sep-2010	27,840.00	2,348.87	203.82	0.00	(7,851.30)	22,541.39
31-Oct-2010	25,141.00	2,157.85	119.26	0.00	(7,039.55)	20,378.56
30-Nov-2010	25,175.00	412.18	3.12	0.00	(24,841.60)	748.70
31-Dec-2010	24,605.00	409.37	1.59	0.00	(24,271.85)	744.11
31-Jan-2011	21,519.00	339.62	1.64	0.00	(21,107.20)	753.06
28-Feb-2011	21,258.00	174.11	0.71	0.00	(21,114.56)	318.26
31-Mar-2011	23,820.00	879.06	30.54	0.00	(16,719.36)	8,010.24
Total Balance:						75,823.23

Collection Action
Notice of Intent



DAVID APPLEBY
1271 BURR OAK LN
BARRINGTON IL 60010-3416

December 6, 2011



Letter ID: L1399730720

Taxpayer ID: XXX-XX-2811
1002D Penalty ID: 2780214



ARLINGTON CITGO INC
2113 N ARLINGTON HEIGHTS RD
ARLINGTON HEIGHTS, IL 60004-3110

**We intend to issue a levy against your assets
unless you pay us.**

You must pay us **\$1,147.30** by **December 27, 2011**. If you do not, we intend to issue a levy for this amount against your assets without further notice to you.

A levy means we can, by legal authority, take your assets held by someone else. Examples of assets we may levy include your wages, contractual payments, bank accounts, and accounts receivables.

The following pages detail the items that need your immediate attention.

If you have any questions about this notice, please contact us immediately at the address and phone number listed below.

JOSEPHINE PASLEY
ILLINOIS DEPARTMENT OF REVENUE
9511 W HARRISON ST
DES PLAINES, IL 60016-1562

847 294-4065
847 294-4214 fax

For information about
› how to pay
› what you owe
› collection actions

Turn page

Collection Action
Notice of Intent



December 6 2011



Letter ID: L1399730720

DAVID APPLEBY
 1271 BURR OAK LN
 BARRINGTON IL 60010-3416

Taxpayer ID: XXX-XX-2811
 1002D Penalty ID: 2780214



This statement lists our most recent information about your unpaid balance, available credits, or returns you have not filed.

IL Withholding Income Tax

Account ID: 37-1428706-000

Period	Tax	Penalty	Interest	Other	Payments/Credits	Balance
31-Dec-2009	418.85	80.27	10.18	0.00	(188.46)	320.84
31-Mar-2010	345.57	71.47	10.24	0.00	0.00	427.28
30-Jun-2010	323.85	68.87	6.46	0.00	0.00	399.18
Total Balance:						1,147.30

Collection Action
Notice of Intent



December 6, 2011



Letter ID: L1764726528

DAVID APPLEBY
1271 BURR OAK LN
BARRINGTON IL 60010-3416

Taxpayer ID: XXX-XX-2811
1002D Penalty ID: 11320314



ARLINGTON CITGO INC
2113 N ARLINGTON HEIGHTS RD
ARLINGTON HEIGHTS, IL 60004-3110

**We intend to issue a levy against your assets
unless you pay us.**

You must pay us \$731.52 by December 27, 2011. If you do not, we intend to issue a levy for this amount against your assets without further notice to you.

A levy means we can, by legal authority, take your assets held by someone else. Examples of assets we may levy include your wages, contractual payments, bank accounts, and accounts receivables.

The following pages detail the items that need your immediate attention.

If you have any questions about this notice, please contact us immediately at the address and phone number listed below.

JOSEPHINE PASLEY
ILLINOIS DEPARTMENT OF REVENUE
9511 W HARRISON ST
DES PLAINES, IL 60016-1562

847 294-4065
847 294-4214 fax

For information about
› how to pay
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Turn page

Collection Action

Notice of Intent



December 6, 2011



Letter ID: L1764726528

DAVID APPLEBY
1271 BURR OAK LN
BARRINGTON IL 60010-3416

Taxpayer ID: XXX-XX-2811
1002D Penalty ID: 11320314



This statement lists our most recent information about your unpaid balance, available credits, or returns you have not filed.

IL Withholding Income Tax

Account ID: 37-1428706-000

Period	Tax	Penalty	Interest	Other	Payments/Credits	Balance
30-Sep-2010	400.15	328.01	3.36	0.00	0.00	731.52
* You did not provide a processable return						
Total Balance:						731.52

Exhibit C

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS

or

A Municipal Corporation

v.

TODD Antenore

Criminal Division Municipal District No. 1st Br/Rm 606

Case No.: 11 CR 21102

Statute Citation: 35 ILCS 20/13

IR No. _____ SID No. _____

SENTENCING ORDER *Page 1 of 3*
SUPERVISION - CONDITIONAL DISCHARGE - PROBATION

IT IS HEREBY ORDERED that the defendant is sentenced to a term of 30 Year(s) Month(s) Day(s)
 Supervision Conditional Discharge Probation (720 ILCS 550/10, 720 ILCS 570/410, or 720 ILCS 646/70) Probation
 REPORTING (All DUI orders are reporting) NON-REPORTING LIMITED REPORTING (Monitor community service or restitution only)
 Scheduled Termination Date October 18, 2014

IT IS FURTHER ORDERED that the defendant shall comply with the conditions as specified below:

STANDARD CONDITIONS

- If reporting is ordered, the defendant shall report immediately to:
 - Social Service Department for conditional discharge/supervision/community service and pay that department such sum as determined by that department in accordance with the standard probation fee guide. Said fee not to exceed \$50.00 per month.
 - or
 - Adult Probation Department for probation/community service, comply with Adult Probation's rules and regulations and pay that department such sum as determined by that department in accordance with the standard probation fee guide. Said fee not to exceed \$50.00 per month.
- Pay all fines, costs, fees, assessments, reimbursements and restitution (if applicable)
- Not violate the criminal statute of any jurisdiction
- Refrain from possessing a firearm or other dangerous weapons
- Notify monitoring agency of change of address
- Not leave the State of Illinois without the consent of the court or monitoring agency
- Comply with reporting and treatment requirements as determined by the Adult Probation Department assessment.
- Any treatment requirements not specified elsewhere on this order that would cause a financial hardship shall be reviewed by the court before being imposed.

DUI RELATED CONDITIONS

- DUI Offenders Classified Level A, report immediately to Central States Institute of Addictions and commence the following intervention program within 60 days of this order:
 - Minimum Moderate Significant
- DUI Offenders Classified Level B or C, report immediately to:
 - The Social Service Department,
 - The Adult Probation Department—
 and complete a Comprehensive Correctional Intervention Assessment within 30 days, fully comply with the Comprehensive Intervention Plan and commence the following intervention program within 60 days of this order:
 - Minimum Moderate Significant High
- Attend a Victim Impact Panel
- File proof of financial responsibility with the Secretary of State
- Surrender driver's license to the Clerk of the Court
- Pay all driver's license reinstatement fees

SPECIAL CONDITIONS

- Obtain a GED
- Home Confinement _____ days
- Adult Probation Department Intensive Probation Supervision
- Perform 200 hours of a community service as directed by the see page 2 of probation order
 - Social Service Department Community Service Program
 - Sheriff's Work Alternative Program (773) 869-3686
 - Adult Probation Department
- Avoid contact with _____
- Complete mental health evaluation and treatment recommendations
- Adult Probation Department Mental Health Unit
- Adult Probation Department Gang Unit
- DNA Indexing

DRUG/ALCOHOL RELATED CONDITIONS

- Complete drug/alcohol evaluation and treatment recommendation
- Submit to random drug testing
- Adult Probation Department Intensive Drug Program
- Complete TASC Treatment Program

DOMESTIC VIOLENCE RELATED CONDITIONS

- Comply with all lawful court orders including an Order of Protection.
- Complete Domestic Violence Program:
 - Defendants sentenced to Probation, as directed by Adult Probation
 - Defendants sentenced to Conditional Discharge or Supervision will complete domestic violence counseling and any other recommendations per the assessment of the Social Service Department, which may include an evaluation and/or treatment for alcohol and drug abuse, mental health, parenting, and sexual abuse.
- Modifications, which would impose a financial hardship shall be reviewed by the sentencing court before so ordered.

SEX OFFENDERS CONDITIONS

- Complete evaluation and treatment recommendation for sex offenders
- Register as a sex offender
- STD/HIV Testing
- Adult Probation Department Sex Offender Program
- DNA Testing

RESTITUTION

Make restitution to Bureau of Criminal Investigat
Illinois Department of Revenue
 in the amount of \$ 336,099 payable through the
 Social Service Department or Adult Probation Department at the rate
 of \$ _____ per _____ with final payment due on or
 before See attached order.

Other 200 hours community service;
Nothing in this order shall prevent the Illinois Department of
Revenue from pursuing this matter civilly to recover any additional
taxes, penalties and interest.

I acknowledge receipt of this Order and agree to abide by the specified conditions. I agree to accept notice by regular mail at the address provided to the monitoring agency and to answer questions asked by the Court related to my behavior. I understand that failure to comply with the conditions of this order, or refusal to participate, or withdrawal or discharge from a required program, or testing will be considered a violation of this Order and will be reported to the Court; and may result in a re-sentencing imposing the maximum penalty as provided for the offense.

271 Pembroke Lane Mundelein IL 60060

(Defendant's Address)

(City/Town)

(State/Zip)

10-8-67

(Defendant's Date of Birth)

847-630-9889 cell

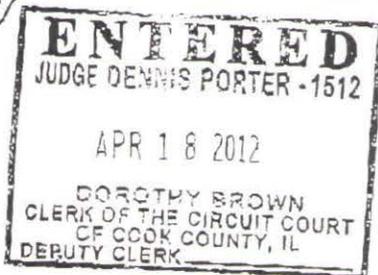
(Defendant's Telephone Number)

[Signature]

(Defendant's Signature)

dated: April 18, 2012

Prepared by Kathleen F Duhig, AAG



ENTERED:

Dated:

4-18 2012

[Signature]
 Judge Judge's No.

in Bold print specifications require additional written orders

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

People of the State of Illinois

v.

No. 11 CR 21162

Todd Antenore

Page 2 of 3
ORDER

This cause coming before the Honorable Court, all parties present, it is ordered in addition to Sentencing/Restitution Order that payments be made payable to the Illinois Department of Revenue, including in the memo section the IBT# 3372-7295 and the BCI # 2010-0265-1-11, as well as the following:

1.) That all payments be sent to the following:
Illinois Department of Revenue
Attn: Barbara Bruno
9511 W Harrison Street
Des Plaines, IL 60016

2.) That final payment is due on or before
October 18, 2014.

3.) Courts 1 through 15 are in the amount of \$ 21,099.
is in the amount of \$ 21,099.

Atty. No.:

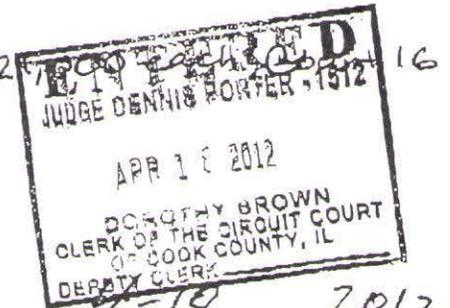
Name: Kathleen F Duhig, AAG *AKD* ENTERED:

Atty. for: People

Address: 100 W Randolph, 13th Floor

City/State/Zip: Chicago, IL 60601

Telephone: (312) 814-5226



Dated: 4-18, 2012

Dennis J Porter 1512
Judge Judge's No.

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Exhibit D

Laura S Gamm
Telephone: (317) 757-7258
Facsimile: (317) 757-7421

National Subpoena Processing
Mail Code IN1-4054
7610 West Washington Street
Indianapolis, Indiana 46231

8/29/2012

Gregory J. Ellis
Law Office of Gregory J. Ellis
18 Executive Court
Suite 1
South Barrington, IL 60010

RE: Subpoena Type: Subpoena Duces Tecum
Case Name: Barrington Bank & Trust, et al v. Data Shell, Inc
Case No.: 12 CH 19861
JPMC File No.: SB406881-F1

Dear Gregory J. Ellis :

In response to your request, enclosed please find copies of account records regarding the above-referenced matter. See attached inventory listing for details.

I hereby certify based on my knowledge that these enclosed records are a true and correct copy of the original documents maintained by JPMorgan Chase Bank, N.A. in the ordinary course of business, and the original records were created at or around the time of the actual transactions.

X The following is a list of records that we are unable to locate:
No records on account number 934038928 that shows David F. Appleby as a signer on the account.

If you have any questions, please call me at (317) 757-7258.

Sincerely,



Laura S Gamm
Document Review Specialist

Enclosure

INVENTORY LISTING

CHASE FILE NO.: SB406881-F1

Customer Name: DATA SHELL INC

Account No.: 934038928

Request Type: Checking - Signature Card

Date Range: 11/8/2010 - 8/14/2012

Comment: Copy of signature card.

Customer Name: DATA SHELL INC

Account No.: 934038928

Request Type: Checking - Business Depository Resolution

Date Range: 11/8/2010 - 8/14/2012

Comment: Copy of business depository resolution dated 11/08/2010.

AFFIDAVIT

Case No.: 12 CH 19861

Laura S Gamm , certifies and declares as follows:

1. I am over the age of 18 years and not a party to this action.
2. My business address is 7610 West Washington Street, Indianapolis, Indiana 46231.
3. I am a Document Review Specialist and Custodian of Records for JPMorgan Chase Bank, N.A. in the National Subpoena Processing Department located in Indianapolis, IN.
4. Based on my knowledge of JPMorgan Chase Bank, N.A. 's business records practices and procedures, the enclosed records are a true and correct copy of the original documents kept by JPMorgan Chase Bank, N.A. in the ordinary course of business.
5. Based on my knowledge of JPMorgan Chase Bank, N.A. 's business records practices and procedures, the records were made at or near the time of the occurrence of the matters set forth in the records by, or from information transmitted by, a person with knowledge of those matters.
6. It is the regular practice of JPMorgan Chase Bank, N.A. to make such a record of transactions in the ordinary course of business.

I declare under penalty of perjury, under the laws of the State of Indiana, that the foregoing is true and correct.

Dated: 8/29/12

By: Laura S Gamm

Laura S Gamm
Document Review Specialist

NATIONAL SUBPOENA PROCESSING

Sworn to before me this 29 day of August, 2012

Jana C Gilman

Notary Public





Business Signature Card

ACCOUNT TITLE ("DEPOSITOR")
DATA SHELL INC



Confidential Information Redacted

ACCOUNT NUMBER 934038928
TAXPAYERID NUMBER 32-0291490
ACCOUNT TYPE Chase Business Classic

DATE OPENED 11/08/2010
New Account

FORM OF BUSINESS S-Corporation
ISSUED BY JPMorgan Chase Bank, N.A. (111)
Gurnee
BRENT CARLIN

BUSINESS ADDRESS
2113 N ARLINGTON HEIGHTS RD

ARLINGTON HEIGHTS, IL 60004-3110

PRIMARY IDENTIFICATION
State Certification of Business

ID NUMBER
66623114

ISSUER
IL Sec of State

ISSUANCE
07/07/2009

EXP DATE

847-782-3689
11/08/2010

SIGNER(S) TO BE ADDED LATER

ACKNOWLEDGEMENT – By signing this Signature Card, the Depositor applies to open a deposit account at JPMorgan Chase Bank, N.A. (the Bank). The Depositor represents and warrants that (i) the signatures appearing below are genuine or facsimile signatures of the person(s) authorized to transact business and (ii) all necessary action or formalities, where necessary, have been taken to authorize the named person(s) to so act. The Bank is entitled to rely on the authority of the named person(s) until written revocation of such authority is received by the Bank. The Depositor certifies that the information provided to the Bank is true to the best of its knowledge and authorizes the Bank, at its discretion, to obtain credit reports on the Depositor and the individual(s) listed below. The Depositor acknowledges receipt of the Bank's *Account Rules and Regulations* or other applicable account agreement, which includes all provisions that apply to this deposit account, and other agreements and service terms for account analysis and other treasury management services if applicable, and agree to be bound by the terms and conditions contained therein as amended from time to time.

CERTIFICATION – The undersigned certifies under penalties of perjury that (1) the Depositor's Taxpayer Identification Number shown above is correct, and (2) the Depositor is not subject to backup withholding because: (a) the Depositor is exempt from backup withholding, or (b) the Depositor has not been notified by the Internal Revenue Service (IRS) that it is subject to backup withholding as a result of failure to report all interest or dividends, or (c) the IRS has notified the Depositor that it is no longer subject to backup withholding, and (3) the Depositor is a U.S. citizen or other U.S. person (as defined in the Form W-9 Instructions).

If the IRS has notified the Depositor that it is subject to backup withholding due to underreporting interest or dividends on its tax return, cross out item 2 above.

The Depositor is a foreign entity, and therefore the penalties of perjury certification on this form do not apply. In addition, the Depositor has certified its foreign status to the Bank by completing the appropriate Form W-8.

The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.

NAME	TAXPAYERID #	TITLE	DATE	SIGNATURE
TODD M ANTENORE		Secretary	11/8/10	





BUSINESS DEPOSITORY RESOLUTION



NEW CHANGE

ACCOUNT NO. 934038928

BANK NAME/NUMBER JPMorgan Chase Bank, N.A. (111)

ACCOUNT TITLE DATA SHELL INC

BRANCH NAME AND NO. Gurnee - 811

DATE 11/08/2010

BUSINESS ADDRESS 2113 N ARLINGTON HEIGHTS RD
ARLINGTON HEIGHTS, IL 60004-3110

PREPARED BY BRENT CARLIN

PHONE NO. 847-782-3689

TAXPAYER ID NO. 32-0291490

PRODUCT TYPE Chase Business Classic

Legal Name of Business DATA SHELL INC (the "Business")

The individual(s) signing this Resolution hereby certifies to JPMorgan Chase Bank, N.A. ("the Bank") that the Business is (check one):

- a sole proprietorship owned entirely by the individual signing this Resolution;
- a duly formed and valid existing
 - general partnership limited partnership limited liability partnership limited liability limited partnership joint venture
 organized under the laws of the state/country of , and the persons signing this Resolution constitute all of the general partners of the partnership.
- a corporation duly organized and in good standing under the laws of the state/country of USA and that the individual signing this Resolution is its secretary or assistant secretary and the keeper of the records and corporate seal, if any;
- an unincorporated association or organization and the individual(s) signing this Resolution is the keeper of the records and seal, if any;
- a limited liability company organized under the laws of the state/country of and the individuals signing this Resolution constitute all of the members or managers, as appropriate of the company.

and that the following is a true and correct copy of the resolutions adopted by the Business and that such resolutions are now in full force and effect.

Depository and Withdrawal Authorization

RESOLVED, that the Bank is designated a depository in which the funds of the Business may be deposited and/or withdrawn by any one of the persons listed below in the manner so designated, subject to the Bank's Deposit Account Agreement. Each person so listed is authorized to endorse for collection, deposit or negotiation any and all checks, drafts, notes, bills of exchange, certificates of deposit, and orders for the payment or transfer of money between accounts at the Bank and other banks, either belonging to or coming into the possession of the Business. Endorsements "for deposit" may be written or stamped. The Bank may accept any instrument for deposit to any depository account of the Business without endorsement or may supply the endorsement of the Business. The person(s) so designated is authorized to sign any and all checks, drafts, and orders drawn against any designated account(s) of the Business (including savings accounts) at the Bank. The Bank is authorized to honor and pay all checks, drafts, and orders when so signed or endorsed without inquiry as to the circumstances of issue or disposition of the proceeds and regardless of to whom such instruments are payable or endorsed, including those drawn or endorsed to the individual order of any such person so listed.

Name	Title	Facsimile Signatures if Applicable
TODD M ANTENORE	Secretary	

Signing Authorization

RESOLVED, that any one of the person(s) indicated above is authorized to act for and on behalf of the Business in any matter involving any of the Business' depository accounts at the Bank, including the authority to instruct the Bank to close the account, and is further authorized to sign and implement for and in the name on behalf of the Business, as they, or any of them see fit, the terms of all agreements, instruments, drafts, certificates, or other documents relating to any depository account or other business of the Business including, but not limited to payroll agreements, repurchase agreements, night depository agreements, funds transfer agreements or safe deposit agreements.

Facsimile Signature Authorization

RESOLVED, that the Bank is authorized and directed to honor checks, drafts, and orders for the payment of money drawn on any of the accounts listed above including those drawn to the individual order of any person when the check, draft, or order bears or purports to bear the facsimile signature(s) as shown above or on the signature card. The Bank shall be indemnified and held harmless against any forgery, or unauthorized use or misuse of the facsimile signing devices.

Further Authorizations

BE IT FURTHER RESOLVED, that the secretary or assistant secretary (if a corporation or unincorporated association), the sole owner/proprietor (if a sole proprietorship), any member or manager, as appropriate (if a limited liability), or any general partner (if a partnership) is authorized to certify to the Bank the name, title, specimen signature and facsimile signature with respect to any additions or deletions of persons authorized to carry out the purposes and intent of these resolutions and that this resolution shall remain in full force and effect until express written notice of rescission or modification is received by the Bank. If the authority contained herein should be revoked or terminated by operation of law or any other reason without such notice, it is resolved that the Bank shall be indemnified and saved harmless from any and all losses suffered or liabilities incurred by it in so acting after such revocation or termination without notice.

IN WITNESS WHEREOF, the undersigned has hereunder subscribed his/her name(s) and affixed the seal, if any, of the Business this 8 day of Nov 2010

For Corporation or Unincorporated Association or Organization: _____ For Sole Proprietorship: _____ For Partnership (all general partners must sign) or For Limited Liability Company (all members/managers must sign): _____

[Signature]
Secretary

Owner/Sole Proprietor

Partner/Member/Manager

Partner/Member/Manager

Partner/Member/Manager

THIS IS A NOT-FOR-PROFIT BUSINESS

JPMorgan Chase Bank, N.A. Member FDIC
Catalog # 04382 (12/06)

Scanning branches - Scan using All in One printer
DISTRIBUTION: 1) Bank Copy 2) Customer Copy



Exhibit E

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - CHANCERY DIVISION

BARRINGTON BANK & TRUST COMPANY,
SUCCESSOR IN INTEREST TO THE FEDERAL
DEPOSIT INSURANCE CORPORATION,
RECEIVER FOR CHARTER NATIONAL BANK
AND TRUST

Plaintiff,

-v.-

12 CH 19861
2113 N. ARLINGTON HEIGHTS RD.
Arlington Heights, IL 60004

DATA SHELL, INC., AN ILLINOIS
CORPORATION, CHARTER NATIONAL BANK
AND TRUST, NOT PERSONALLY BUT AS
TRUSTEE ON BEHALF OF CHARTER
NATIONAL BANK AND TRUST UNDER
TRUST NO. 1909 DATED NOVEMBER 19,
2009, DAVID F. APPLEBY, UNKNOWN
OWNERS AND NON-RECORD CLAIMANTS

Defendants

REPORT OF SALE AND DISTRIBUTION

I, the undersigned, an authorized signatory for The Judicial Sales Corporation, selling officer appointed in the matter captioned above, do hereby report that:

That pursuant to a Judgment of Foreclosure and Sale entered herein, the plaintiff advertised the following described real estate to be sold at public auction to the highest bidder for cash on **March 12, 2013 at 10:30 AM**, at the The Judicial Sales Corporation, One South Wacker Drive - 24th Floor, CHICAGO, IL, 60606, as set forth in the certificate of publication attached hereto and made a part hereof;

That the property was offered for sale at public auction to the highest bidder on the terms specified in said advertisement;

That MACKIN LAND CO., LLC-2113 ARLINGTON offered and bid therefor the sum of NINE HUNDRED TWENTY-TWO THOUSAND SIX HUNDRED AND 00/100 (\$922,600.00) and that being the highest and best bid, an agent of The Judicial Sales Corporation accordingly struck off and sold to said bidder the following described real estate:

THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF RAND ROAD AND THE EAST RIGHT OF WAY LINE OF ARLINGTON HEIGHTS ROAD, AS SAID ROADS PRESENTLY EXIST; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF RAND ROAD, FOR A DISTANCE OF 195.00 FEET; THENCE SOUTHWESTERLY ALONG A LINE, WHICH IS PERPENDICULAR TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF RAND ROAD TO A POINT OF INTERSECTION WITH A LINE EXTENDED EASTERLY AT A RIGHT ANGLE FROM A POINT ON THE EAST RIGHT OF WAY LINE OF ARLINGTON HEIGHTS ROAD, WHICH POINT IS 195.00 FEET SOUTH OF THE POINT OF INTERSECTION OF THE EAST RIGHT OF WAY LINE OF ARLINGTON HEIGHTS ROAD AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF RAND ROAD; THENCE WEST ALONG SAID LINE, WHICH WAS

Report of Sale and Distribution

EXTENDED EAST AT A RIGHT ANGLE FROM ARLINGTON HEIGHTS ROAD TO SAID POINT ON THE EAST RIGHT OF WAY LINE OF ARLINGTON HEIGHTS ROAD, WHICH IS 195.00 FEET SOUTH OF THE POINT OF BEGINNING; THENCE NORTH ALONG THE EAST RIGHT OF WAY LINE OF ARLINGTON HEIGHTS ROAD TO THE POINT OF BEGINNING; SAID PREMISES LOCATED AT THE SOUTHEAST CORNER OF ARLINGTON HEIGHTS ROAD AND RAND ROAD (U. S. ROUTE 12) AND HAVING A FRONTAGE OF 195.00 FEET ON ARLINGTON HEIGHTS ROAD AND 195.00 FEET ON RAND ROAD; EXCEPTING THEREFROM THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF RAND ROAD AS NOW LOCATED AND ESTABLISHED, WITH THE EAST LINE OF ARLINGTON HEIGHTS ROAD, AS NOW LOCATED AND ESTABLISHED; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY LINE OF RAND ROAD, A DISTANCE OF 40.00 FEET TO A POINT, DISTANT 50.00 FEET SOUTHWEST, MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF RAND ROAD, AS NOW LOCATED AND ESTABLISHED; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE, A DISTANCE OF 32.74 FEET TO A POINT IN SAID EAST LINE OF ARLINGTON HEIGHTS ROAD, DISTANT 49.5 FEET EAST, MEASURED AT RIGHT ANGLES FROM THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17; THENCE NORTH ALONG SAID EAST LINE OF ARLINGTON HEIGHTS ROAD, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; ALSO, EXCEPTING THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF RAND ROAD AND THE EAST RIGHT OF WAY LINE OF ARLINGTON HEIGHTS ROAD, AS SAID ROADS PRESENTLY EXIST; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF RAND ROAD, SOUTH 48 DEGREES, 02 MINUTES, 47 SECONDS EAST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTHEASTERLY ALONG THE SAID SOUTHWESTERLY RIGHT OF WAY LINE, SOUTH 48 DEGREES, 02 MINUTES, 47 SECONDS EAST, A DISTANCE OF 35.00 FEET; THENCE NORTH 64 DEGREES, 27 MINUTES, 55 SECONDS WEST, A DISTANCE OF 42.01 FEET; THENCE NORTH 65 DEGREES, 58 MINUTES, 52 SECONDS EAST, A DISTANCE OF 13.00 FEET TO THE POINT OF BEGINNING; ALSO, EXCEPTING THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF RAND ROAD AND THE EAST RIGHT OF WAY LINE OF ARLINGTON HEIGHTS ROAD, AS SAID ROADS PRESENTLY EXIST; THENCE SOUTHERLY ALONG THE EAST RIGHT OF WAY LINE OF ARLINGTON HEIGHTS ROAD, SOUTH 00 DEGREE, 00 MINUTE, 30 SECONDS WEST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTHERLY ALONG THE SAID EAST RIGHT OF WAY LINE, SOUTH 00 DEGREE, 00 MINUTE, 30 SECONDS WEST, A DISTANCE OF 5.00 FEET; THENCE NORTH 32 DEGREES, 59 MINUTES, 48 SECONDS EAST, A DISTANCE OF 8.39 FEET; THENCE SOUTH 65 DEGREES, 58 MINUTES, 52 SECONDS WEST, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; AND ALSO, EXCEPTING THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE AFORESAID POINT IN THE SOUTHWESTERLY LINE OF RAND ROAD, THAT IS 195.00 FEET SOUTHEASTERLY OF ITS INTERSECTION WITH THE EAST LINE OF AFORESAID ARLINGTON HEIGHTS ROAD; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO AFORESAID SOUTHWESTERLY LINE OF RAND ROAD, A DISTANCE OF 69.00 FEET TO A POINT; THENCE NORTHEASTERLY IN A LINE, A DISTANCE OF 69.71 FEET TO A POINT IN THE SOUTHWESTERLY LINE OF AFORESAID RAND ROAD, THAT IS 10.00 FEET NORTHWESTERLY OF THE POINT OF BEGINNING; THENCE SOUTHEASTERLY IN THE AFORESAID SOUTHWESTERLY LINE OF RAND ROAD, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Commonly known as 2113 N. ARLINGTON HEIGHTS RD., Arlington Heights, IL 60004

Property Index No. 03-17-303-015-0000.

I, the undersigned, an authorized signatory for The Judicial Sales Corporation, selling officer appointed in the matter captioned above, do hereby further report:

That The Judicial Sales Corporation has executed and delivered to said successful bidder, any insurers, investors, successors, assignees, and agents of the Plaintiff to said bidder its Receipt(s) of Sale, copies of which are attached hereto, along with a copy of the Certificate of Sale (if any) delivered to said bidder.

That upon confirmation of this sale, The Judicial Sales Corporation will execute and deliver to said successful bidder, any insurers, investors, successors, assignees, and agents of the Plaintiff a Deed to said bidder in accordance with said judgment and law.

That the proceeds of said sale will, upon confirmation of the sale, be disbursed as follows:

Report of Sale and Distribution

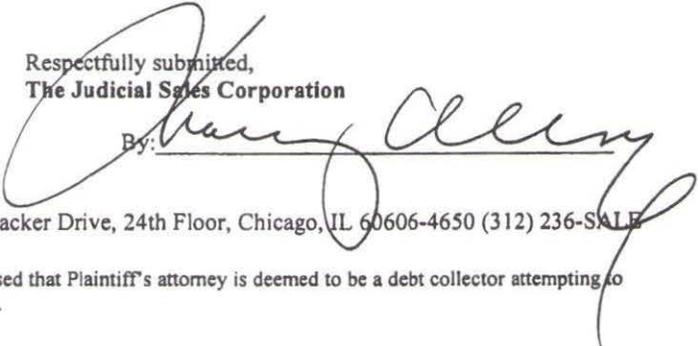
To the plaintiff:

1. The amount due under judgment		\$1,146,293.47
2. Interest thereon (excluding attorney's fees) from date of judgment (01/25/2013) to date of sale (03/12/2013) at 9% per annum		\$12,972.53
3. Publication costs		\$ 575.00
4. Post judgment fees and costs		
Fees	\$5,905.00	
Costs	\$ 142.80	
Total Post judgment fees and costs		\$6,047.80
Subtotal		\$1,165,888.80
To the Selling Officer , as commission		\$ 350.00
Total Amount Due		<u>\$1,166,238.80</u>
Total Proceeds of Sale		<u>\$922,600.00</u>
Surplus or (Deficiency)		(\$243,638.80)

Date: March 12, 2013

Attorney File No.: 22545/48444

Respectfully submitted,
The Judicial Sales Corporation

By: 

THE JUDICIAL SALES CORPORATION One South Wacker Drive, 24th Floor, Chicago, IL 60606-4650 (312) 236-SALE

NOTE: Pursuant to the Fair Debt Collection Practices Act, you are advised that Plaintiff's attorney is deemed to be a debt collector attempting to collect a debt and any information obtained will be used for that purpose.

Exhibit F

**STATE OF ILLINOIS
DEPARTMENT OF REVENUE
OFFICE OF ADMINISTRATIVE HEARINGS
CHICAGO, ILLINOIS**

**THE DEPARTMENT OF REVENUE
OF THE STATE OF ILLINOIS**

v.

**DAVID APPLEBY,
As Responsible Officer of
ARLINGTON CITGO, INC.,
TAXPAYER**

No. 12-ST-0311

**NPL Letter ID: L 1270178592
NPL Penalty ID: 760575**

**Kenneth J. Galvin
Administrative Law Judge**

**ORDER PURSUANT TO
DEPARTMENT'S WITHDRAWAL**

This cause coming on to be heard *sua sponte*, the Department of Revenue (hereinafter "Department") having jurisdiction of the parties and subject matter, and the Administrative Law Judge being fully advised in the premises,

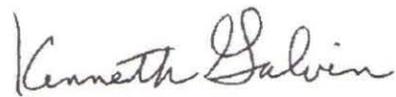
IT IS HEREBY FOUND THAT:

1. This cause arose by way of a protest filed by the taxpayer in response to the Department's Notice of Penalty Liability, captioned above, dated July 17, 2012.
2. Prior to the convening of any hearing on the matter or the consideration of any evidence, the Department notified the Administrative Law Judge that the Notice of Penalty Liability was withdrawn.
3. As a result of the Department's withdrawal, there is no further case or controversy and no issues of fact which must be determined.

IT IS THEREFORE ORDERED THAT:

The Notice of Penalty Liability, issued to David Appleby and captioned above, and all further proceedings in this case are hereby cancelled.

ENTER:

A handwritten signature in black ink that reads "Kenneth Galvin". The signature is written in a cursive style with a large initial 'K'.

Date: May 9, 2014

Kenneth Galvin
Administrative Law Judge



Illinois Department of Revenue
OFFICE OF ADMINISTRATIVE HEARINGS
James R. Thompson Center
100 West Randolph Street, Level 7-900
Chicago, Illinois 60601
(312) 814-6114

**THE DEPARTMENT OF REVENUE
OF THE STATE OF ILLINOIS**

v.

**DAVID APPLEBY,
As Responsible Officer of
ARLINGTON CITGO, INC.,
TAXPAYER**

No. 12-ST-0311

**NPL Letter ID: L 1270178592
NPL Penalty ID: 760575**

**Kenneth J. Galvin
Administrative Law Judge**

NOTICE OF DISPOSITION

To: Mr. Gregory J. Ellis
18 Executive Court
South Barrington, Illinois 60010

Mr. George Foster
Illinois Department of Revenue

YOU ARE HEREBY NOTIFIED that the attached Order of the Administrative Law Judge presiding in the above captioned matter has been approved by the Director of Revenue and is therefore dispositive of the case. By such order, all proceedings before the Administrative Hearings Division of the Illinois Department of Revenue relative to this cause have been concluded and this matter is therefore closed.

Date: May 9, 2014

Brian A. Hamer, Director
Illinois Department of Revenue