

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

JEFFERSON-PILOT INVESTMENTS, INC., a)
North Carolina corporation,)

Plaintiff,)

v.)

CAPITAL FIRST REALTY, INC., an Illinois)
corporation, SUNSET VILLAGE LIMITED)
PARTNERSHIP, an Illinois limited partnership;)
TCF NATIONAL BANK, a national banking)
association; L H BLOCK ELECTRIC)
COMPANY, INC., an Illinois corporation,)
DOHERTY, GIANNINI, REITZ)
CONSTRUCTION, INC., an Illinois Corporation,)
and EAGLE HEATING & COOLING INC., and)
Illinois Corporation)

Defendants.)

Case No. 10-cv-07633

Judge Matthew F. Kennelly

Magistrate Judge Jeffrey N. Cole

NOTICE OF MOTION

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on August 31, 2011 at 9:30 a.m., or as soon thereafter as counsel may be heard, we shall appear before the Honorable Matthew F. Kennelly, or any judge who may be sitting in his place and stead, in Courtroom 2103, Dirksen Federal Building, 219 South Dearborn Street, Chicago, Illinois, and shall then and there present **Plaintiff's Motion for Summary Judgment Against Sunset Village**, a copy of which is hereby served upon you.

Dated: August 25, 2011

Respectfully submitted,

**JEFFERSON-PILOT INVESTMENTS,
INC.**

By: /s/ Leonard S. Shifflett
One of Its Attorneys

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CERTIFICATE OF SERVICE

I, Leonard S. Shifflett, an attorney, hereby certify that I caused the foregoing **Notice of Motion** referenced therein, to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following counsel of record at his e-mail address on file with the Court:

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Attorneys for Sunset Village Limited Partnership

Dated: August 25, 2011

/s/ Leonard S. Shifflett
Leonard S. Shifflett

2. enter summary judgment in its favor and against Defendant Sunset Village Limited Partnership on Count IV of the Second Amended Complaint for a judgment of foreclosure and order of judicial sale of the Mortgaged Property and an order providing that there are no rights of reinstatement and/or redemption from sale under any order or judgment of foreclosure of the Leasehold Mortgage;

3. enter summary judgment in its favor and against Sunset Village Limited Partnership on Count V of the Second Amended Complaint for foreclosure of its lien in the Collateral;

4. enter summary judgment in its favor and against Sunset Village Limited Partnership on Counts III, IV, and V of the Second Amended Complaint in the total amount of \$27,189,790.20 plus additional interest accruing at a rate of \$6,167.65 per day beginning February 22, 2011 through the date of judgment;

5. set this matter for a prove-up of attorneys' fees, expenses, and costs; and

6. for any further relief that this Court deems just and proper.

Dated: August 25, 2011

Respectfully submitted,

JEFFERSON-PILOT INVESTMENTS, INC,

By: /s/ Leonard S. Shifflett
 One of Its Attorneys

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