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

FEDERAL TRADE COMMISSION, and STATE OF ILLINOIS, Plaintiffs, v. STARK LAW, LLC, an Illinois limited liability company, also doing business as STARK RECOVERY, *et al.*, Defendants.	Case No. 1:16-cv-3463 Judge Rebecca R. Pallmeyer Magistrate Judge Sheila M. Finnegan

AGREED ORDER RESOLVING PLAINTIFFS' MOTION FOR CONTEMPT

Plaintiffs, the Federal Trade Commission ("FTC") and the State of Illinois, pursuant to Fed. R. Civ. P. 65(d), Local Rules 37.1 and 66.1, and the Court's inherent authority, moved this Court for an order holding Defendant Hirsh Mohindra in Civil Contempt and for Sanctions (Dkt. No. 238) ("Contempt Motion"). Plaintiffs and Defendant Hirsh Mohindra, by their undersigned counsel, having met and conferred, agree to entry of this Order to resolve the matters in dispute among them as they pertain to the Contempt Motion.

WHEREFORE, PREMISES CONSIDERED, it is hereby **ORDERED, ADJUDGED, AND DECREED** as follows:

1. On March 23, 2017, the Court entered an Order (Dkt. No. 271) deeming the real properties commonly described as (1) 195 N. Harbor Drive, #5409, Chicago, Illinois 60601; (2) 1614 N. Mohawk Street, Chicago, Illinois 60614; and (3) 416 E. North Water Street, Chicago, Illinois 60611 (collectively, with all proceeds, rents, rights and title thereto, the "Real

Properties," the legal descriptions of which are attached as Exhibit "A"), to be properties of the Receivership Estate that presently exists by virtue of the *Ex Parte Temporary Restraining Order*, dated March 22, 2016 (Dkt. No. 17), and the *Preliminary Injunction with Asset Freeze and Other Equitable Relief*, dated July 11, 2016 (Dkt. No. 82), and thus *in custodia legis* and within this Court's exclusive *in rem* jurisdiction. For the avoidance of any doubt, the Court, pursuant to 28 U.S.C. § 754, hereby appoints Gregg Szilagyi federal equity receiver ("Receiver") of the Real Properties, nunc pro tunc to March 23, 2017 at 4:01 p.m.

2. Defendant Hirsh Mohindra, individually and in his capacity as the beneficiary of that certain trust agreement dated October 6, 2014, and known as Trust Agreement 14-3287, State Bank of Countryside, Trustee (all subsequent references to "Defendant Hirsh Mohindra" in this Order include both capacities, as the context requires), is ordered, no later than seven (7) days after entry of this Order, to take all steps that the Receiver may require, including, but not limited to, executing any directions to the land trustee, deeds and other documents, and providing any necessary documents and information, to further evidence the transfer to the Receiver of possession and conveyance of legal and equitable title to the Real Properties.

3. Defendant Hirsh Mohindra expressly relinquishes and disclaims all right, title, and interest in the Real Properties, including all right, title, and interest in any rents or income that shall be received from or generated by the Real Properties. Defendant Hirsh Mohindra acknowledges that he may not under any circumstances seek the return of the Real Properties or any rents or income received from or generated by the Real Properties.

4. The Receiver is responsible for all maintenance, utilities, taxes, association fees, and other expenses related to the Real Properties.

5. Defendant Hirsh Mohindra expressly relinquishes and disclaims all right, title, and interest in any rents or income already received or collected by the Receiver, that are in the Receiver's possession, or that may be due the Receiver, received from or generated by the Real Properties.

6. From and after the entry of this Order, Defendant Hirsh Mohindra shall take no action to diminish the value of the Real Properties.

7. Defendant Hirsh Mohindra shall deliver all keys, security codes, openers, and other means to access the Real Properties, if any, to the Receiver.

8. The costs and expenses of transferring possession and conveying title to the Real Properties shall be paid by the Receivership Estate.

9. All of the Receiver's power and duties, as enumerated in the Preliminary Injunction, are applicable to the Real Properties, including, but not limited to, the ability to conserve, hold, and manage the Real Properties, and to perform all acts necessary or advisable to preserve the value of those assets. The Receiver, in his sole discretion, has the explicit authority to market and sell the Real Properties in a commercially reasonable manner for fair market value, but the details of any such sales are subject to Court approval after notice to the parties and the opportunity to file objections. Any proceeds from the sale of the Real Properties will become part of the Receivership Estate. The stay of actions described in Section VIII.F of the Preliminary Injunction applies to the Real Properties. The Receiver is authorized to issue any process and commence any proceedings necessary to prevent any person from clouding or encumbering title to, or attempting to obtain possession or control over, the Real Properties.

10. Within twenty-one (21) days after entry of this Order, Defendant Hirsh Mohindra is authorized and directed to sell the 2014 Ferrari 458 CPE (VIN ZFF67NFA7E0201518) (the

"Vehicle") in accordance with instructions to be provided by the Receiver, for fair market value, *provided that* Plaintiffs shall have the authority to approve or deny the means and manner by which the Vehicle is sold.

11. The balance remaining on the loan note securing the Vehicle (Ferrari Financial Services Account Number xxxx0272) shall be paid in full from the proceeds of the sale. The net proceeds from the sale of the Vehicle shall be paid to the Receiver and become part of the Receivership Estate.

12. Defendant Hirsh Mohindra shall provide copies of any documents necessary to facilitate the sale of the Vehicle, including, but not limited to, such documents as may be requested by Plaintiffs or the Receiver, and shall make the Vehicle available for inspection at the time and place reasonably specified by the Receiver. Defendant Hirsh Mohindra shall execute any documents necessary to accomplish the sale of the Vehicle within twenty-four (24) hours after presentment of such documents.

13. Until such time as the Vehicle is sold, Defendant Hirsh Mohindra shall:

A. Maintain the Vehicle in good repair and take no action to diminish the value of the Vehicle;

B. Timely pay all taxes, fees, and all other attendant expenses related to the maintenance and ownership of the Vehicle; and

C. Maintain insurance on the Vehicle in an amount not less than the full replacement value of the vehicle. In the event that the Vehicle suffers any loss or damage covered by such insurance policy, Defendant Hirsh Mohindra shall make such claims that

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are permitted by the insurance policy and shall assign or remit any insurance payment he receives as a result of such loss or damage to the Receiver or his designated agent.

SO ORDERED, this 11th day of April, 2017.

HONORABLE REBECCA R. PALLMEYER
United States District Judge

Respectfully submitted,

FOR PLAINTIFFS:

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STATE OF ILLINOIS

EXHIBIT A

David D. Orr **Clerk of Cook County**

COUNTY OF COOK MAP DEPARTMENT

Date: 03-24-2017

THIS CERTIFIES THAT THE PERMANENT REAL ESTATE INDEX NUMBER KNOWN AS:
17 - 10 - 401 - 014 - 1478 **BEARS THE FOLLOWING LEGAL DESCRIPTION:**

UNIT 5409 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN THE PARKSHORES CONDOMINIUM AS DELINEATED AND DEFINED IN THE DECLARATION RECORDED AS DOCUMENT NUMBER 95414356, AND AMENDED BY DOCUMENT NUMBER 1101045032 IN THE SOUTHEAST QUARTER OF SECTION 10 TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Fee: $10.00

Supervisor of Maps and Plats

195 N. Harbor St.
#5409