



## E-Notice

2014-L-002768

CALENDAR: N

To: REINHART BOERNER VAN DEUR  
gtemple@reinhartlaw.com

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# NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

ACF LEASING LLC vs. ONEIDA SEVEN GENERATION  
2014-L-002768

The transmission was received on 12/05/2014 at 5:04 PM and was ACCEPTED with the Clerk of the Circuit Court of Cook County on 12/08/2014 at 10:21 AM.

**MOTION (Joint Motion for Stay of Proceedings)**

**EXHIBITS ([Proposed] Agreed Order)**

**EXHIBITS (Certificate of Service)**

Filer's Email: gtemple@reinhartlaw.com  
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Notice Date: 12/8/2014 10:21:42 AM  
Total Pages: 4

**DOROTHY BROWN**  
**CLERK OF THE CIRCUIT COURT**  
COOK COUNTY  
RICHARD J. DALEY CENTER, ROOM 1001  
CHICAGO, IL 60602

(312) 603-5031  
courtclerk@cookcountycourt.com

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

ACF LEASING, LLC; ACF SERVICES, )  
LLC; and GENERATION CLEAN )  
FUELS, LLC, )

Plaintiffs, )

v. )

Case No. 2014 L 2768

GREEN BAY RENEWABLE ENERGY, )  
LLC; ONEIDA SEVEN GENERATIONS )  
CORPORATION; and THE ONEIDA )  
TRIBE OF INDIANS OF WISCONSIN, )

Defendants. )

**JOINT MOTION FOR STAY OF PROCEEDINGS**

Plaintiffs and Defendant Green Bay Renewable Energy, LLC ("GBRE"), by and through their undersigned counsel, jointly move the Court for an order staying all further proceedings in the above-captioned action pending the resolution of Plaintiffs' appeal (No. 14-3443) to the Appellate Court of Illinois, First Judicial District, of the Court's Order dismissing with prejudice Plaintiffs' Complaint against Defendants Oneida Seven Generations Corporation ("OSGC") and The Oneida Tribe of Indians of Wisconsin (the "Oneida Tribe") for lack of subject matter jurisdiction. The grounds for this stipulated motion are as follows:

1. On October 8, 2014, the Court entered an order granting defendants OSGC and the Oneida Tribe's motion to dismiss for lack of subject matter jurisdiction, dismissing those defendants from this action (the "Dismissal Order"). Also on October 8, 2014, the Court denied, in part, defendant Green Bay Renewable Energy, LLC's motion to dismiss. As a result, claims against defendant Green Bay Renewable Energy, LLC remain pending.

ELECTRONICALLY FILED  
12/5/2014 5:04 PM  
2014-L-002768  
PAGE 2 of 2

2. On October 27, 2014, the Court entered an order granting defendants OSGC and the Oneida Tribe's Motion for Illinois Supreme Court Rule 304(a) Finding and finding no just reason for delaying appeal from the October 8, 2014 Order (the "304(a) Order"). In a separate order, the Court vacated the deadlines for Plaintiffs' to file an amended complaint against GBRE and for GBRE to answer the amended complaint.

3. On November 7, 2014, Plaintiffs' filed their Notice of Appeal of the Dismissal Order and the 304(a) Order.

4. As the outcome of Plaintiffs' appeal will determine defendant OSGC and Oneida Tribe's participation in the litigation, Plaintiffs and GBRE agree that it will be procedurally efficient to stay all further proceedings in this action pending the resolution of Plaintiffs' appeal.

5. This motion is brought for good cause and not for purposes of delay.

WHEREFORE, Plaintiffs and Defendant Green Bay Renewable Energy, LLC respectfully request the Court to enter an order staying all further proceedings in this action until resolution of Plaintiffs' appeal to the Appellate Court of Illinois, No. 14-3443.

Dated this 5th day of December, 2014

/s/ Gerald M. Dombrowski  
Gerald M. Dombrowski  
Sanchez Daniels & Hoffman LLP  
333 West Wacker Drive. Suite 500  
Chicago, Illinois 60606  
(312) 641-1555

Attorney for Plaintiffs ACF Leasing, LLC,  
ACF Services, LLC, and  
Generation Clean Fuels LLC

/s/ Guy R. Temple  
Guy R. Temple  
Reinhart Boerner Van Deuren s.c.  
1000 North Water Street, Suite 1700  
Milwaukee, WI 53202  
414-298-1000

Attorney for Defendant Green Bay  
Renewable Energy, LLC

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
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 )  
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Case No. 2014 L 2768

**AGREED ORDER**

Upon the Stipulated Motion to Stay Proceedings by Plaintiffs and Defendant Green Bay Renewable Energy, LLC,

IT IS ORDERED that:

1. The proceedings in this case shall be stayed pending the resolution of Plaintiffs' appeal to the Appellate Court of Illinois, No. 14-3443.
2. This action is set for status on the stay for June \_\_\_\_\_, 2015 at \_\_\_\_\_ a.m.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge Margaret A. Brennan

Prepared by  
Guy R. Temple  
Illinois State Bar ID No. 6290898  
Reinhart Boerner Van Deuren s.c.  
Reinhart Boerner Van Deuren s.c.  
1000 North Water Street, Suite 1700  
Milwaukee, WI 53202  
Telephone: 414-298-1000  
Facsimile: 414-298-8097

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 )  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 5, 2014 I caused a copy of the Joint Motion for Stay of Proceedings, a [Proposed] Agreed Order and this Certificate of Service to be sent by e-mail and First Class mail to the following:

Thomas J. Verticchio, Esq. Swanson, Martin & Bell, LLP 330 North Wabash Avenue, Suite 3300 Chicago, Illinois 60611 <a href="mailto:tverticchio@smbtrials.com">tverticchio@smbtrials.com</a>	Gerald M. Dombrowski, Esq. Sanchez Daniels & Hoffman LLP 333 West Wacker Drive, Suite 500 Chicago, IL 60606 <a href="mailto:gdombrowski@sanchezdh.com">gdombrowski@sanchezdh.com</a>
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Dated this 5th day of December, 2014

/s/ Guy R. Temple

Guy R. Temple  
Illinois State Bar ID No. 6290898  
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Milwaukee, WI 53202  
Telephone: 414-298-1000  
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