

**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. )**

**ORDER**

The cause comes before the Court on defendants Oneida Seven Generations Corporation and The Oneida Tribe Of Indians Of Wisconsin's Motion for Illinois Supreme Court Rule 304(a) Finding, the Court being fully informed, ORDERS AS FOLLOWS:

1. Plaintiffs, ACF Leasing, LLC, ACF Services, LLC, and Generation Clean Fuels, LLC, named three defendants in this action, Green Bay Renewable Energy, LLC, Oneida Seven Generations Corporation, and The Oneida Tribe of Indians of Wisconsin.

2. On October 8, 2014, the Court entered an order granting defendants Oneida Seven Generations Corporation and The Oneida Tribe of Indians of Wisconsin's motion to dismiss for lack of subject matter jurisdiction, dismissing those defendants from this action (the "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.

3. Illinois Supreme Court Rule 304(a) provides that "[i]f multiple parties or multiple claims for relief are involved in an action, an appeal may be taken from the final judgment as to one or more but fewer than all of the parties or claims only if the trial court has made an express

written finding that there is no just reason for delaying either enforcement or appeal or both.” Ill. Sup. Ct. Rule 304(a).

4. An order is “final” for Rule 304(a) purposes if it provides for the “ultimate disposition of an individual claim entered in the course of a multiple claims action.” Geier v. Hamer Enterprises, Inc., 226 Ill.App.3d 372, 379 (1<sup>st</sup> Dist. 1992) (citations and quotations omitted); see also Mar Cement, Inc. v. Diorio Builders, Inc., 153 Ill.App.3d 798, 801 (2d Dist. 1987) (Rule 304(a) “applies to orders that are final in character although entered in comprehensive proceedings that include other matters”) (citation and quotation omitted). Here, the Order is “final” for Rule 304(a) purposes because it dismisses Oneida Seven Generations Corporation and The Oneida Tribe of Indians of Wisconsin on subject matter jurisdiction grounds, dismissing them as defendants in this multiple claim and multiple party action.

5. In the exercise of its discretion pursuant to Illinois Supreme Court Rule 304(a), the Court finds that there is no just reason for delaying appeal from its October 8, 2014 Order granting defendants Oneida Seven Generations Corporation and The Oneida Tribe of Indians of Wisconsin’s Motion to Dismiss for Lack of Subject Matter Jurisdiction, and the Court hereby certifies the Order for immediate appeal.

\_\_\_\_\_, 2014  
JUDGE MARGARET ANN BRENNAN  
OCT 27 2014  
ENTER: [Signature]  
Circuit Court - 1846  
\_\_\_\_\_  
Circuit Court Judge

Prepared by:  
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