APPEAL TO THE FIRST DISTRICT OF THE APPELLATE COURT OF ILLINOIS FROM THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, LAW DIVISION

ACF LEASING, LLC, ACF SERVICES, LLC, and GENERATION CLEAN FUELS, LLC,)))				
Plaintiffs-Appellants,)				
VS.)	No.: 14 L 2768	3		
GREEN BAY RENEWABLE ENERGY, LLC,	í	Honorable Margaret Ann Brennan,			
ONEIDA SEVEN GENERATIONS	Ś	Judge Presiding			
CORPORATION and THE ONEIDA TRIBE	ý		, -	73	77
OF INDIANS OF WISCONSIN,	Ś		a mark	50 T S	C.,
)		* ***	() ()	
Defendants-Appellees.)			1	1
	,		197		
NOTICE OF FILING		8 10 10 10	- 1,3 - 4,0 - 1,0 - 1,0		
				1-	· · · · ·
To: All Attorneys of Record – Service List Att	tached		part	Company Company Company	

PLEASE TAKE NOTICE that on the 7th day of November, 2014, we shall file with the Clerk of the Appellate Court for the First Judicial District of Illinois, Plaintiffs/Appellants' Notice of Appeal, a copy of which is attached hereto and served upon you herewith Respectfully submitted,

Gerald M. Dombrowski

Heather D. Erickson

SANCHEZ DANIELS & HOFFMAN LLP

333 West Wacker Drive, Suite 500

Chicago, Illinois 60606

(312) 641-1555

Attorneys for Plaintiffs-Appellants ACF LEASING, LLC, ACF SERVICES, LLC, & GENERATION CLEAN FUELS, LLC

PROOF OF SERVICE

The undersigned certifies, under penalties as provided by law pursuant to 735 ILCS 5/1-109, that she served this Notice by mailing a copy to the attorneys listed on the attached service list by depositing a copy of same in the U.S. Mail at 333 West Wacker Drive, Chicago, Illinois 60606, at or before 5:00 p.m. on November 7, 2014, with proper postage prepaid, and that this statement as set forth is true and correct.

Signed and Certified: _

April D. Burrell

F DATAMISTORY/SD/90928/APPEAL/NOTICES/NOF NOA 06-11-14 doc

SERVICE LIST

ACF Leasing, LLC, et al. v. Green Bay Renewable Energy, LLC, et al.

Our File #: SD-80519 Trial Court #: 14 L 2768

Attorneys for Oneida Seven Generations Corp.

& The Oneida Tribe of Indians of Wisconsin

Mr. James B. Vogts

Mr. Thomas J. Verticchio Swanson Martin & Bell

220 North Walach Suite 22

330 North Wabash - Suite 3300

Chicago, Illinois 60611 Tel: (312) 321-9100

Fax: (312) 321-0990

Email: jvogts@smbtrials.com

tverticchio@smbtrials.com

Mr. Thomas M. Pyper

Ms. Cynthia L. Buchko

Whyte Hirschboeck Dudek

P.O. Box 1379

33 East Main Street - Suite 300

Madison, Wisconsin 53701-1379

Tel: (608) 255-4440 Fax: (608) 258-7138

Email: tpyper@whdlaw.com

cbuchko@whdlaw.com

Attorneys for Green Bay Renewable Energy, LLC

Mr. Guy R. Temple

Reinhart Boerner Van Deuren S.C.

1000 North Water Street - Suite 1700

Milwaukee, Wisconsin 53202

Tel: (414) 298-1000

Fax: (414) 298-8097

Email: gtemple@reinhartlaw.com

Mr. Bryan K. Nowicki

Reinhart Boerner Van Deuren S.C.

22 East Mifflin Street

Madison, Wisconsin 53703

22 East Mifflin Street, Suite 600

Madison, Wisconsin 53703

Tel: (608) 229-2200 Dir.: (608) 229-2218

Fax: (608) 229-2210

Email: bnowicki@reinhartlaw.com

APPEAL TO THE FIRST DISTRICT OF THE APPELLATE COURT OF ILLINOIS FROM THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, LAW DIVISION

ACF LEASING, LLC, ACF SERVICES, LLC, and GENERATION CLEAN FUELS, LLC,	
Plaintiffs-Appellants,	
VS.) No.: 14 L 2768
GREEN BAY RENEWABLE ENERGY, LLC, ONEIDA SEVEN GENERATIONS CORPORATION and THE ONEIDA TRIBE OF INDIANS OF WISCONSIN,	Honorable Margaret Ann Brennan,Judge Presiding
Defendants-Appellees.))

NOTICE OF APPEAL

PLEASE TAKE NOTICE that Plaintiffs-Appellants, ACF LEASING, LLC, ACF SERVICES, LLC and GENERATION CLEAN FUELS, LLC, by and through their attorneys, SANCHEZ DANIELS & HOFFMAN LLP, hereby appeal to the Appellate Court of Illinois, First Judicial District, from the following orders entered in this matter in the Circuit Court of Cook County, Illinois, County Department, Law Division: the Order of October 8, 2014, dismissing with prejudice their Complaint against Defendants, Oneida Seven Generations Corporation and The Oneida Tribe of Indians of Wisconsin for lack of subject matter jurisdiction and the Order of October 27, 2014 granting Defendants, Oneida Seven Generations Corporation and The Oneida Tribe of Indians of Wisconsin's Motion for Illinois Supreme Court Rule 304(a) Finding and finding no just reason for delaying appeal from the October 8, 2014 Order.

By this appeal, Plaintiffs-Appellants pray the Appellate Court to reverse the Order of October 8, 2014 and remand this cause with directions to reinstate all counts of the Complaint for trial on the merits to all claims, or for such other and further relief as the Appellate Court may deem proper.

Respectfully submitted,

By:

Gerald M. Dombrowski Heather D. Erickson

SANCHEZ DANIELS & HOFFMAN LLP

333 West Wacker Drive, Suite 500

Chicago, Illinois 60606

(312) 641-1555

Attorneys for Plaintiffs-Appellants ACF LEASING, LLC, ACF SERVICES, LLC, & GENERATION CLEAN FUELS, LLC

CERTIFICATE OF SERVICE

Under penalties as provided by law pursuant to 735 ILCS 5/1-109, the undersigned certifies that this Notice of Appeal was served on the attorneys listed on the attached service list by mailing a copy thereof and depositing same in the U.S. Mail with proper postage prepaid at 333 West Wacker Drive, Suite 500, Chicago, Illinois at or before 5:00 p.m. on November 7, 2014.

Signed and Certified:

pril D. Burrell

T (DATAMISTORY/SD80S19/APPEAL/NOTICES/NOA docx

SERVICE LIST

ACF Leasing, LLC, et al. v. Green Bay Renewable Energy, LLC, et al.

Our File #: SD-80519 Trial Court #: 14 L 2768

<u>Attorneys for Oneida Seven Generations Corp.</u> & The Oneida Tribe of Indians of Wisconsin

Mr. James B. Vogts Mr. Thomas J. Verticchio Swanson Martin & Bell 330 North Wabash - Suite 3300

Chicago, Illinois 60611 Tel: (312) 321-9100 Fax: (312) 321-0990

Email: <u>jvogts@smbtrials.com</u> <u>tverticchio@smbtrials.com</u>

Mr. Thomas M. Pyper Ms. Cynthia L. Buchko Whyte Hirschboeck Dudek P.O. Box 1379 33 East Main Street - Suite 300 Madison, Wisconsin 53701-1379

Tel: (608) 255-4440
Fax: (608) 258-7138
Email: tpyper@whdlaw.com
cbuchko@whdlaw.com

Attorneys for Green Bay Renewable Energy, LLC

Mr. Guy R. Temple

Reinhart Boerner Van Deuren S.C. 1000 North Water Street - Suite 1700

Milwaukee, Wisconsin 53202

Tel: (414) 298-1000 Fax: (414) 298-8097

Email: gtemple@reinhartlaw.com

Mr. Bryan K. Nowicki

Reinhart Boerner Van Deuren S.C.

22 East Mifflin Street

Madison, Wisconsin 53703

22 East Mifflin Street, Suite 600

Madison, Wisconsin 53703

Tel: (608) 229-2200 Dir.: (608) 229-2218 Fax: (608) 229-2100

Email: bnowicki@reinhartlaw.com