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July 5, 2019

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The Gooch Firm
209 S. Main St.
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Re: Settlement of *Andrew Gasser, et al v. Lukasik et al*
Case No. 2017 CH 435

Gentlemen:

Please be advised that I am enclosing a Settlement Order that Algonquin Township is asking that you sign so as to resolve the above-mentioned case. As I understand it, these terms have previously been agreed to before I was in the case.

Regardless, Algonquin Township is a named party and was allowed to intervene by Judge Meyer. Due to a potential conflict by the Algonquin Township I am serving as the Algonquin Township Attorney in this limited manner. My charge is clear and that is to bring this matter to a conclusion to staunch the bleeding of attorney's fees from the public treasury. I have noticed on occasion that many a public official will fight for principle no matter what it takes as long as the public is paying the bill. The Algonquin Township Board simply wants to end this litigation to avoid thousands and thousands of dollars of future litigation.

The proposed settlement Order is straight forward. Similarly, the law is clear that Algonquin Township is a separate municipality from the Algonquin Road District. Algonquin Township is authorized in 60 ILCS 1/95-5 et seq to litigate all civil actions. Please note that all townships have tort immunity. Clearly, our conflict here is that the cost of litigation greatly

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Page 2

exceeds the remote chance of any judgment of any kind against any party. The Algonquin Township Board has an obligation to the taxpayers of the district to end the on-going expense of litigation.

Please sign the settlement order and return it to my law offices. My authority requires that the settlement order codifying the previous settlement agreement be presented by July 31, 2019.

May I hear from you?

Sincerely,

A handwritten signature in black ink that reads "John M. Nelson". The signature is written in a cursive, flowing style.

JOHN M. NELSON

Special counsel for Algonquin Township
in Case Number 2017 CH 435

JMN/jr
Enclosure

IN THE CIRCUIT COURT OF THE 22ND JUDICIAL CIRCUIT
MCHENRY COUNTY ILLINOIS

ANDREW GASSER, ALGONQUIN)
TOWNSHIP ROAD COMMISSIONER,)
ALGONQUIN TOWNSHIP ROAD)
DISTRICT,)

CASE NO. 17 CH 435

Plaintiffs,)

v.)

KAREN LUKASIK, INDIVIDUALLY)
AND IN HER CAPACITY AS)
ALGONQUIN TOWNSHIP CLERK,)
ANNA MAY MILLER and ROBERT)
MILLER,)

Defendants.)

KAREN LUKASIK,)

Cross-Gasser,)

v.)

CHARLES A. LUTZOW JR.,)

Cross-Defendant)

ANDREW GASSER,)

Cross-Defendant.)

SETTLEMENT ORDER

THIS MATTER coming on before the Honorable Thomas A. Meyer this _____ day of July, 2019, the Court having been fully advised in the premises, having held a number of pretrial settlement conferences herein, and based on the agreed settlement of all the parties, FINDS as follows:

1. The court finds it is in the best interest of all parties to and in this litigation.
2. The court finds that it has allowed Algonquin Township, a duly constituted municipal corporation to enter its appearance as a true and real party in interest.

3. The court finds that all issues have been resolved between all parties, and that all parties are in agreement with this settlement Order.

4. The Court finds that this settlement order is entered into and is in full force and effect no later than July 31, 2019.

IT IS HEREBY ORDERED BY THE COURT AS FOLLOWS:

1. The sum of Sixty three thousand five hundred dollars (\$63,500.00) shall be paid by Algonquin Township to the plaintiff, Algonquin Road District within thirty (30) days of the date of this Order.

2. This Order is entered into without any admission, acknowledgment or claim of fault of any kind by any party and is entered into solely for the purposes of an end to this litigation and to avoid the cost of protracted litigation.


3. All matters in dispute in this case are over.

4. This case is hereby dismissed with prejudice accordingly. All parties are fully released one from the other.

ENTER:

JUDGE

Prepared by:



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Read and approved by:

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Thomas Gooch- Attorney for Defendant
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Wauconda, IL 60084

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 22nd JUDICIAL CIRCUIT
McHENRY COUNTY

** FILED ** Env: 5406546
McHenry County, Illinois
17CH000435
Date: 6/13/2019 1:02 PM
Katherine M. Keefe
Clerk of the Circuit Court

Andrew Gasser, et al.

vs.

Case Number 17 CH 435

Karen Lukasik, et al.

APPEARANCE

I HEREBY ENTER THE APPEARANCE OF
Algonquin Township

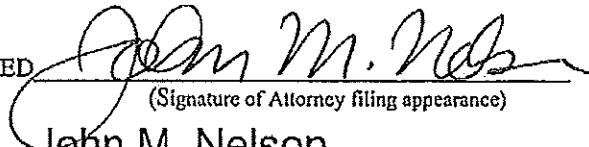
(Insert the name of the party for whom you are entering your appearance)

AND MY OWN AS

- | | |
|-------------------------------------------------------|----------------------------------------------------|
| <input checked="" type="checkbox"/> REGULAR COUNSEL | <input type="checkbox"/> TRIAL COUNSEL |
| <input type="checkbox"/> SPECIAL & LIMITED APPEARANCE | <input type="checkbox"/> SUBSTITUTE COUNSEL |
| <input type="checkbox"/> PRO-SE | <input type="checkbox"/> COUNSEL IN FORCIBLE ENTRY |
| <input type="checkbox"/> ADDITIONAL COUNSEL | <input type="checkbox"/> APPELLATE COUNSEL |
| <input type="checkbox"/> GUARDIAN AD LITEM | <input type="checkbox"/> COURT APPOINTED COUNSEL |

AND AS (HIS) (HER) (THEIR) COUNSEL IN THE ABOVE ENTITLED CASE.

SIGNED


(Signature of Attorney filing appearance)

Name John M. Nelson

John M. Nelson

Printed Name

ARDC Number 2031671

Attorney for Algonquin Township

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