

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

MICHAEL MARCONI AND MELISSA WALSH AS EXECUTORS OF THE ESTATE OF JOE MARCONI, ADELINA MARCONI, RICHARD A. BENSON, LOUIS M. BENSON, DANIEL J. SOLIZ, MARGRET M. SOLIZ, MARY POPIEL, JOHN WULFF, and EMIL GOELLNER, individually and on behalf of others similarly situated,

Plaintiffs,

v.

INDIANA MUNICIPAL POWER AGENCY, ICS, INC., RAJESHWAR G. RAO, SARGENT & LUNDY, L.L.C., and SKELLY AND LOY, INC.,

Defendants.

Case No. 1:14-CV-07291

Honorable Rebecca R. Pallmeyer

Mag. Judge Michael T. Mason

JOINT MOTION FOR FINAL JUDGMENT

The parties in this action, Plaintiffs Michael Marconi and Melissa Walsh, as executors of the estate of Joe Marconi, Adelina Marconi, Richard A. Benson, Louis M. Benson, Daniel J. Soliz, Margret M. Soliz, Mary Popiel, John Wulff, and Emil Goellner (collectively, "Plaintiffs") and Defendants Indiana Municipal Power Agency, ICS, Inc., Rajeshwar G. Rao, Sargent & Lundy, L.L.C. and Skelly and Loy, Inc., (collectively "Defendants" and with Plaintiffs, the "Parties") hereby jointly move the Court to enter Final Judgment in this action. In support of this motion, the Parties state as follows:

1. Plaintiffs agree not to pursue any appeal, to the extent such appeal would be timely, of any orders or judgments in this case, including, without limitation, the Court's orders dismissing their claims against Defendants and/or final judgment;
2. Defendants agree not to seek costs in this matter;

WHEREFORE, the Parties respectfully request the Court enter Final Judgment in substantially the same form as set forth in Exhibit A, attached hereto.

Dated: October 26, 2016

Respectfully Submitted,

/s/ Scott Green

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EXHIBIT A

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FOR THE NORTHERN DISTRICT OF ILLINOIS**

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Defendants.

Case No. 1:14-CV-07291

Honorable Rebecca R. Pallmeyer

Mag. Judge Michael T. Mason

[PROPOSED] ORDER AND FINAL JUDGMENT

In accordance with the Court's Memorandum Opinion and Order granting Defendants' Motions to Dismiss dated August 30, 2016, and the parties' agreement that Plaintiffs shall waive any appellate rights that may exist in this matter, and that Defendants shall not seek costs from Plaintiffs in this matter,

IT IS SO ORDERED, this _____ day of _____, 2016 that Final Judgment is entered in favor of Defendants Indiana Municipal Power Agency, ICS, Inc., Rajeshwar G. Rao, Sargent & Lundy, L.L.C. and Skelly and Loy, Inc.

Honorable Rebecca R. Pallmeyer
United States District Judge

CERTIFICATE OF SERVICE

I, Kathryn W. Bayer, an attorney, hereby certify that I have this day caused the foregoing to be filed via CM/ECF with the Clerk of the Court, thereby electronically serving it on all counsel of record in this matter.

Date: October 26, 2015

/s/ Kathryn W. Bayer
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