

**A Benjamin
Goldgar/ILNB/07/USCOURTS**

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cc

06/25/2009 04:13 PM

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Subject We need an official form to go with new Bankruptcy Rule
7058

I noticed in my booklet of rules that will go into effect on December 1, 2009, that a new Bankruptcy Rule 7058 incorporates Rule 58 of the Federal Rules of Civil Procedure. Rule 58, of course, contains the "separate judgment" requirement for civil actions.

There is an AO Form entitled "Judgment in a Civil Case" (AO 450) that district courts use to satisfy Rule 58(a). An example is attached. Use of this standard form eliminates any question about whether there is in fact a separate judgment. It also makes readily apparent which item on the docket the separate judgment is.

It would be immensely helpful, and would serve the purposes of new Bankruptcy Rule 7058, if there were a bankruptcy equivalent of the "Judgment in a Civil Case" form. I expect the AO "Judgment in a Civil Case" form could easily be adapted to bankruptcy use.

A. Benjamin Goldgar
U.S. Bankruptcy Judge
U.S. Bankruptcy Court,
Northern District of Illinois
219 S. Dearborn Street, Suite 668
Chicago, IL 60604
Tel. (312) 435-5642



Judgment in a civil case.pdf

United States District Court
Northern District of Illinois
Eastern Division

WACHOVIA SECURITIES et al

JUDGMENT IN A CIVIL CASE

v.

Case Number: 04 C 3082

NEUHAUSER

- Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury rendered its verdict.
- Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS HEREBY ORDERED AND ADJUDGED that As to Counts II and IV, judgment in favor of Wachovia and against Defendants Loop, Jahelka, Nichols and Greenblatt, jointly and severally, in the amount of \$2,478,418.80 with interest from September 22, 2005 through the date of judgment. The Court also awards Wachovia its actual costs and attorneys fees incurred since September 22, 2005 through the date of judgment.

As to Counts VII and IX, judgment in favor of Wachovia and against Loop and Banco. As to Counts VIII and X, judgment in favor of Scattered and Loop Properties and against Wachovia. To satisfy Wachovia's claim, the Court voids Banco's lien or security interest over Loop's assets, Loop's post-May 22, 2001 compensation payments to Jahelka and Nichols, and Loop's post-May 22, 2001 "investments" in EZ Links. Wachovia may levy execution on the transferred assets or its proceeds.

Wachovia shall submit a fee petition to the Court within 21 days of this Order.

Wachovia's Motion to Strike Defendants' Post Trial Position Paper is denied.

Wachovia's Motion to Strike Gregory Jordan's affidavit is denied.

This action is dismissed in its entirety.

Michael W. Dobbins, Clerk of Court

Date: 10/23/2008

/s/ J. Smith, Deputy Clerk