

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT—FIRST DISTRICT

CITY OF CHICAGO,)
a Municipal Corporation,)
Plaintiff)
v.)
JACK H GORE)
ET AL.)
Defendant(s).)

Case No: 07 M-401197
Address: 3208-14 N Sheffield
Courtroom 110 7 Daley Center

ORDER TO VACATE

This cause coming on to be heard on the set call, the Court having jurisdiction over the Defendant(s) and the subject matter, being fully advised in the premises and having heard evidence and testimony:

THE COURT FINDS:

1. That the subject premises fails to meet the minimum standards of health and safety as set forth in the applicable provisions of the Municipal Code of the City of Chicago and as stated in the complaint herein.
2. That the City has demonstrated by competent evidence that an imminent threat to health, safety and welfare of the tenants and occupants exists at the subject premises.

IT IS THEREFORE ORDERED THAT:

1. Defendant(s) PLAINTIFF CITY OF CHICAGO AND JACK H. GORE AND SABRA MANAGEMENT immediately cause the following sections of the subject premises be vacated: THE ENTIRE RESIDENTIAL PORTIONS, ~~AND~~
within 21 days.
2. The vacated sections of the subject premises be maintained in a vacant secure condition until further order of court.
3. Defendant(s) maintain all utilities, including, but not limited to, electricity, water, gas, and heat, to those sections of the subject premises affected by this order until such time as those sections are fully vacated.
4. Defendant(s) shall allow representatives from the Department of ^{Family Support Service} Human Services onto the subject premises and shall not interfere with those representatives as they assist tenants and occupants in vacating the premises.
5. This cause be set for hearing on 3/10/2009 at ^{11:00am} ~~9:30 a.m.~~ courtroom 110 7, Daley Center, without further notice.

Hearing Date: 3/3/2009

Mara S. Georges, Corporation Counsel 90909
By: [Signature]
Assistant Corporation Counsel
30 N. LaSalle St., Room 700
Chicago, IL 60602
(312) 744-8791

Judge HOUSER Courtroom 110 7

Assoc. Judge ANN HOUSER
MAR 03 2009
Circuit Court - 227

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT—FIRST DISTRICT

THE CITY OF CHICAGO,
a Municipal Corporation,

Plaintiff,

v.

JACK H. GORE
ET AL.
Defendant(s).

No.: 07 MI 401197

Re: 3208-14 N Sheffield

Courtroom 1107, Daley Center

ORDER

THIS CAUSE COMING to be heard on the set call, the Court being fully advised in the premises and having heard evidence and testimony:

IT IS HEREBY ORDERED THAT:

- 1) DEFENDANTS JACK H GORE AND SABRA MANAGEMENT SHALL PROVIDE A RENT ROLL CURRENT THROUGH FEBRUARY 20, 2009 TO CITY WITHIN 24 HOURS,
- 2) CITY'S MOTION TO VACATE THE ENTIRE RESIDENTIAL PREMISES IS GRANTED WITH THE ISSUE OF RELOCATION ASSISTANCE FOR TENANTS AND OCCUPANTS ENTERED AND CONTINUED TO 3/10/09.
- 3) THE BALANCE OF DEFENDANT'S MOTION TO RECONSIDER IS ENTERED AND CONTINUED TO 3/10/09.
- 4) ALL PRIOR ORDERS SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL FURTHER ORDER OF COURT

IT IS FURTHER ORDERED THAT this cause be continued to courtroom 1107, Daley Center, without further notice.

3/10/2009 at 11:07 a.m./p.m.,
Assoc. Judge ANN HOUSER

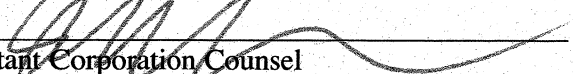
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Circuit Court - 227

HEARING DATE: 3/3/2009

Judge Ann Houser

Courtroom 1107

By: 
Assistant Corporation Counsel
Mara S. Georges, Corporation Counsel #90909
30 N. LaSalle St., Room 700
Chicago, Illinois 60602
(312) 744-8791

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City of Chicago
Department of Law
Building and Licencing Enforcement Division
30 North LaSalle #700
Chicago, IL 60602

February 27, 2009

VIA FAX 312/922-0631

Victor Ciardelli and Pat Cummings
Victor Ciardelli
19 West Jackson #300
Chicago, IL 60604

CASE: 07 M1 401197
RE: 3204-14 North Sheffield Avenue, i.e. The Diplomat

Dear Mr. Ciarelli:

I am in receipt of your February 27, 2009 letter.

Inspector Ron Essex was at the Diplomat on or about February 4th pursuant to the Court's Order and on February 19th for a follow up inspection. We would contest your interpretation of Mr. Essex's statements.

You may view the news cast at ABC-7 website. That they choose to interview an Alderman, along with a representative of the City's executive branch, is not unexpected and probably sound journalism. If you have taken any other conclusions out of ABC's report, then those are your conclusions based upon their report. The City's stance has been outlined in Court via the Complaints, Motions and in numerous hearings.

I understand that you feel that the Court's contempt fines of \$1,000 per day are sever. At all times your client could have produced the electrical emergency system lighting report after it was ordered and avoided that issue. I am sure you can produce evidence and arguments to the Court on that mater.

The report regarding the Fire Alarm System is deficient. The Court heard testimony regarding what the report lacked. The Court has had an Order stating how to cure those problems. The updated report still does not meet those requirements. Further, the Fire Department has provided you and your client with samples on how to complete a correct Fire Alarm System Test Report- thus the failure to compete one that meets the Code requirements is perplexing.

The City is aware of Ms. Valentine's testimony. The City firmly believes that SRO buildings provide a key role in the housing needs for the poor and disabled. However your contention that your client is concerned about 'a safe environment', after 1 ½ years of litigation

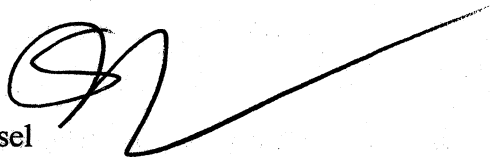
and more then 2 years after the initial inspection, is not supported by his actions to abate the violations.

Your allegations of 'secret meetings' and the City being 'involved with that kind of plan' are without merit. The Court requires that discussions occur out in the hallway or in the conference room. That is where I talk to numerous parties and witnesses. Indeed, you have used that room to talk to your witnesses on at least one occasion. To conclude that the City was having 'secret' meetings is, upon clam reflection, a statement unworthy of your pen.

Your contention that the community members who come to court 'may try to make the predications (i.e. of a fire) come true' and that they may do 'something crazy or stupid as a result of the adverse publicity from the news broadcast that you and Alderman Tunney participated in' is a disturbing statement. Your firm was personally handed a series of letters regarding the Diplomat Hotel from the congregations of: Saint Clement Parish; Second Unitarian Church; Broadway United Methodist Church; Saint Luck Church; Lake View Lutheran Church; Resurrection Lutheran Church; Epiphany United Church of Christ. To think that these individuals and organizations would agitate or act to cause such massive harm is, at best a very poor conclusion and reflects poorly upon your firm and client.

I too look forward to seeing you on March 3, 2009. If you have any questions please do not hesitate to contact me at 312/744-8710.

Sincerely,
Steven Quaintance McKenzie
Senior Assistant Corporation Counsel

A handwritten signature in black ink, appearing to be 'S. McKenzie', written over a horizontal line.

CIARDELLI AND CUMMINGS

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TELEPHONE (312) 348-2522
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February 27, 2009

LEGAL ASSISTANT
VALERIE STELMACHOWSKI

Mr. Steve Q. MacKenzie
Suite 700
30 North La Salle Street
Chicago, Illinois 60602

Fax No. 312-742-0088

RE: City vs. Diplomat Hotel

Dear Mr. MacKenzie:

As you were made aware, I was out of town when you decided to give a notice to my office to appear in court the following day on February 24, 2009 relative to charges that have been before the court for a long time and any conditions having to do with fire hazards had been corrected as noted by the summary of Meco Electric and the purging of the contempt by Judge Houser.

I wondered why on two or three occasions when I would walk into the side room of the courtroom, I would find that Alderman Tunney was in there talking to the fire inspector and the other inspectors. I had viewed this on two or three occasions.

It is my understanding that fire inspector Essex went to the premises last week and said that the premises at the Diplomat Hotel was a fire hazard and he would see to it that everyone would be evicted from the building. If the Diplomat Hotel is truly a fire hazard, my client wants to make sure that the City does move the occupants out of the building or the occupants can move out of the building on their own because there is always a possibility that one of the followers of Alderman Tunney, who come to court, may try to make the predictions come true. The staff of the Diplomat Hotel has cooperated in giving the City and the limited receiver a room at the hotel to interview occupants but the sooner that this is done the better. We do not want to be accused of

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February 27, 2009

running a fire trap or running a hazardous location (which is not true) but from what I understand of your interview and Alderman Tunney's interview on Channel 7 ABC news on Wednesday, February 25, 2009, that that appears to be the intent of both you and Alderman Tunney's actions.

I have not seen the news broadcast but I have been informed as to what it contained. I want to make it perfectly clear that I, at all times including my client, have been respectful to Judge Houser.

I felt that the \$1,000.00 a day fine was severe with respect that the electricians from Meco Electric stated that the fire alarms were always in good working order and that the electrical system complied with the City code.

My client does not want to be responsible if somebody should do something crazy or stupid as a result of the adverse publicity from the news broadcast that you and Alderman Tunney participated in. As we understand, without any notice from the city, that they have not renewed the SRO license at the Diplomat Hotel, so for the tenants' own safety the tenants will be asked to leave the premises so that the dire predictions of Inspector Essex could not come true.

Now that I have heard about you and Alderman Tunney being on television together, it appears that the suspicions that I had from walking in accidentally on these secret conferences behind closed doors in the ante room of Court Room 1107, appear to be true. You have my client and his employees' complete cooperation in making sure that no rooms are leased to anyone and that the premises be vacated as soon as possible.

I personally have had occasion to be at the Diplomat Hotel when inspections were being conducted and it always seemed that things were much more forthright when there was testimony before Judge Houser.

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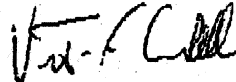
February 27, 2009

I would remind you of the testimony of Charlene Valentine from the Chicago Department of Senior Services who testified before Judge Houser on December 8, 2008 that the Diplomat Hotel and their manager, Mr. Holmes, provided folks who had no other place to go, and who were not the cream of society but were decent folks, a place to live and that place to live was in a safe environment.

My belief is that Alderman Tunney's friends who originally came in and talked to my client about buying the premises at a bargain basement price, and were rejected, now have the upper hand. It is my hope that agents for the city are not involved with that kind of plan. I will see you in court on March 3, 2009.

Very truly yours,

CIARDELLI AND CUMMINGS



VICTOR F. CIARDELLI

VFC:VS

Faxed