ILLINOIS
COMMERCE COMMISSION
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IN THE CIRCUIT COURT FOR THE
~~EIGHTEENTH~~ 15th JUDICIAL DISTRICT
OGLE COUNTY, ILLINOIS

COPY

Illinois Commerce Commission, Plaintiff

vs. No. 05 CH 93

FEB 1 2008

New Landing Utility, Inc., Defendant

CLERK OF THE CIRCUIT COURT
OGLE COUNTY

ORDER DISCHARGING RECEIVER

Pursuant to prior order, this matter comes before the Court for consideration of an order which discharges the Receiver and terminates the receivership of New Landing Utility, Inc. Being fully advised in the premises, the Court makes the following findings and enters the following orders.

FINDINGS

1. By prior order, this Court appointed Illinois Rural Water Association ("IRWA"), Frank Dunmire ("Dunmire"), Executive Director, to serve as Receiver for New Landing Utility, Inc. ("NLU") from and after January 1, 2006.

2. During the period beginning with that date and continuing to the date of this Order, IRWA did serve as Receiver for NLU.

3. During said period, IRWA faithfully reported to this Court as to its activities and provided quarterly financial reports. These reports were provided to all interested parties.

4. Pursuant to the direction given by this Court under the terms of the Sale Order entered in Case No. 00 CH 97 (*People of the State of Illinois ex rel Illinois Environmental Protection Agency v. New Landing Utility, Inc., et al.*), IRWA, as Receiver, joined with

Exhibit A

NLU in a sale of all the NLU plant assets as well as certain other assets to Lost Lake Utility District ("LLUD").

5. NLU has advised and assured this Court that said sale of assets was finalized and closed on December 14, 2007, and that all obligations contained in Schedule C of the Sale Order entered in Case No. 00 CH 97 (*People of the State of Illinois ex rel Illinois Environmental Protection Agency v. New Landing Utility, Inc., et al.*) on November 5, 2007 and referenced in the Agreed Settlement Order entered in this matter on December 14, 2007, have been satisfied.

6. As of said date, LLUD assumed the authority and responsibility to operate the NLU water and sewer utility systems and provide water and sewer services to those who, until said date, had been the customers of NLU.

7. As of said date, NLU was no longer required or able to provide any utility services. Accordingly, IRWA, as Receiver, was no longer required or able to operate the utility business of NLU.

8. In compliance with the terms of the Agreed Settlement Order entered in this case on December 14, 2007, IRWA submitted to this Court a final accounting of the financial affairs of NLU on or about January 21, 2008. This accounting was also provided to all interested parties.

9. All interested parties have advised this Court that said final accounting is satisfactory.

10. The Court has reviewed the final accounting and finds that it is satisfactory.

11. The efforts of IRWA, in conjunction with the efforts of NLU, to identify all persons and entities with claims against NLU have been sufficient and satisfactory under the

circumstances.

12. All claims of all such persons or entities have been satisfied and resolved either by IRWA, as Receiver, during the period of its service, or by the terms of the settlements between and among the parties to cases filed in this Court against NLU and others, or in connection with the closing of the sale of NLU assets to LLUD.

13. Any claims against NLU or IRWA, as Receiver, that were not presented to IRWA, as Receiver, prior to this date or otherwise presented in this case prior to this date ("unknown claims") should be considered waived and/or abandoned and neither IRWA nor NLU, or any shareholder, director, officer, employee, agent or representative of either NLU or IRWA should be liable or otherwise responsible or accountable to anyone for any such unknown claim.

14. The Court is satisfied that all items and amounts appearing as liabilities in the 2004 and subsequent tax returns of New Landing Utilities, Inc. which are reflected in Mr. Armstrong's memo of 12/31/2007 presented to this Court on 1/3/2008 and made a part of the record and of this order by reference; specifically, Accounts Payable: $565,113; Other Current Liabilities: $476,239; Advances - Associated Companies: $80,357; CIAC-Net: $431,369; Advances for Construction: $50,384, are liabilities that will not be asserted against New Landing Utility and this court hereby orders that they shall not be asserted against New Landing Utility, Inc. or the Receiver.

15. IRWA has made satisfactory and acceptable arrangements to deliver NLU property in its possession to LLUD or NLU, as is proper and appropriate under the terms of the agreements between those parties. Property that IRWA will deliver to NLU is limited to

operational and tax documents.

16. All litigation filed in this Court against NLU has been settled and all cases have been dismissed.

17. There is no reason for NLU to continue to be under the control of a receiver.

18. The services of IRWA and Dunmire, its Executive Director, as Receiver for NLU have been exemplary and beneficial to the Court and to all interested parties.

19. There is no further action IRWA, as Receiver, needs or should take in order to meet and fulfill its responsibilities to this Court or to any party to this case or any other party.

20. Except for the matters resolved by this Order, there is no other matter or issue before this Court in respect to this case under the terms of the Agreed Settlement Order of December 14, 2007, or any other order entered in this case.

WHEREFORE, THIS COURT ORDERS:

A. That IRWA is to deliver the NLU property in its possession to LLUD or NLU, as is proper and appropriate under the terms of the agreements between those parties, within a reasonable time considering all the circumstances.

B. That the final accounting and all prior quarterly financial reports submitted to this Court by IRWA, as Receiver, are approved by this Court, and all prior actions and activities of IRWA and Dunmire, as Receiver for NLU, are approved by this Court.

C. That any claims of any person or entity whatsoever against NLU or IRWA, as Receiver, that were not presented to IRWA, as Receiver, or otherwise presented in this case, prior to this date ("unknown claims") are deemed to have been waived and/or abandoned and neither IRWA nor NLU, or any shareholder, director, officer, employee, agent or

representative of either NLU or IRWA may hereafter be held liable or otherwise responsible or accountable in any manner to anyone for any such unknown claim.

D. That IRWA and Dunmire, its Executive Director, are relieved of any and all further duties or responsibilities as Receiver for NLU.

E. That any prior order that placed NLU under the control of a Receiver is hereby superseded by this Order and the receivership of and over NLU is hereby terminated as of this date.

Dated: February 1, 2008.

ENTER

Judge