

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CHARLES KRIK,

Plaintiff,

v.

OWENS-ILLINOIS, INC. et al.,

Defendants.

No. 10-cv-07435

Judge Manish S. Shah

**Owens-Illinois, Inc.'s**  
**Motion for Memorandum of Judgment**

Owens-Illinois, Inc. (Owens-Illinois) respectfully requests that the Court enter the proposed memorandum of judgment against Plaintiff Charles Krik and in favor of Owens-Illinois. Before filing this motion, Owens-Illinois's counsel asked opposing counsel and has not received any response whether there is an objection to the motion.

1. On May 1, 2015, a civil judgment was entered in favor of Owens-Illinois and against Plaintiff Charles Krik such that Owens-Illinois shall recover costs and post-judgment interest from Plaintiff Charles Krik. J. Civil Case, ECF No. 366.

2. On August 25, 2015, Plaintiff Charles Krik was taxed costs in the amount of \$23,191.38 to Owens-Illinois and \$16,303.08 to ExxonMobil. Order 1, ECF No. 411.

3. Plaintiff Charles Krik has neither requested nor obtained a stay of execution of that judgment—or any proceedings to enforce it—pending appeal by supersedeas bond. Fed. R. Civ. P. 62(d); L.R. 62.1.

4. Because Plaintiff Charles Krik resides and owns property at 405 W. Third St., Braidwood, Will County, Illinois (ECF No. 318-6), Owens-Illinois requests a memorandum of judgment to file with the Will County Recorder of Deeds to secure the

civil judgment. *See Chicago Truck Drivers Pension Fund v. Central Transport, Inc.*, 935 F.2d 114, 119-20 (7th Cir. 1991) (district court retains jurisdiction, upon the filing of notice of appeal, to aid the execution of judgment that has not been stayed or superseded); *Henry v. Farmer City State Bank*, 808 F.2d 1228, 1240 (7th Cir. 1986) (same).

For these reasons, Owens-Illinois, Inc. respectfully requests that the Court enter the proposed memorandum of judgment against Plaintiff Charles Krik and in favor of Owens-Illinois, Inc.

Dated: December 8, 2015

Respectfully submitted,

By: /s/ Brian O. Watson

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*Owens-Illinois, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned attorney certifies that on December 8, 2015, these papers were filed with the Clerk of the Court for the United States District Court for the Northern District of Illinois using the CM/ECF system, which will send notification of such filing upon all parties who have appeared.

/s/ Brian O. Watson

Brian O. Watson

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