

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	No. 02 C 9458
v.)	
)	
)	Judge Gottschall
MID AMERICA BANK, FSB,)	
)	
Defendant.)	

JOINT MOTION TO TERMINATE CONSENT ORDER

Pursuant to Rule 60(b)(6), Federal Rules of Civil Procedure, the United States and Mid America Bank, fsb (“the Bank”) jointly move the Court for an order terminating the current Consent Order in this case.

On January 8, 2003, this Court entered a Consent Order resolving the United States’ claims regarding the Bank’s compliance with the Fair Housing Act, 42 U.S.C. §§ 3601-3619, and the Equal Credit Opportunity Act, 15 U.S.C. §§ 1691-1691f. That Order was to terminate three months after submission of the Bank’s fifth annual report to the United States, which is due by March 30, 2008.

The parties agree that Mid America Bank, fsb has fulfilled its affirmative obligations under the Consent Order and is in substantial compliance therewith. In addition, the holding company that owns the Bank has been purchased by the holding company that owns National City Bank, and the merger of the two institutions has been approved by the Federal Reserve Board. Based on these

considerations, the parties jointly move this Court to terminate the Consent Order pursuant to Rule 60(b)(6), which provides that a court may relieve a party from a final judgment or order for “any other reason that justifies relief.” A proposed order is attached hereto.

Respectfully submitted,

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For the United States:



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CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney hereby certifies that in accordance with FED. R. CIV. P. 5, LR5.5, and the General Order on Electronic Case Filing (ECF), the following document:

JOINT MOTION TO TERMINATE CONSENT ORDER

was served pursuant to the district court's ECF system as to ECF filers, if any, and was sent by first-class mail on December 17, 2007, to the following non-ECF filers:

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