

## **PRESS RELEASE - VILLAGE SUCCESSFULLY STRIKES STATE BANK'S AFFIRMATIVE DEFENSES IN ONGOING LITIGATION**

At a court hearing held on October 22<sup>nd</sup>, the Village was once again successful in the ongoing suit against the State Bank over the Bank's refusal to take care of their obligations and complete the infrastructure improvements in Whispering Ridge Subdivision. Following unsuccessful attempts to dismiss the litigation, the State Bank filed their answers to the Village's Complaint and cited four Affirmative Defenses in response to which the judge found in favor of the Village on three of the four Defenses. The Village of Johnsburg filed the original Complaint against State Bank in July of 2014 in response to the Bank's refusal to provide for the completion of outstanding public improvements in the subdivision which they took over from the developer. State Bank's attorney and Chairman, Jack Franks, has maintained that the bank is not obligated to provide infrastructure improvements in the development because it did not have a "profit motive" when it took over ownership of the development and therefore the taxpayers of the Village should bear the cost. Such position has been met with shock and disappointment by the Village Board given its history of doing business with the State Bank. The Village filed suit in an effort to bring the matter before a jury, in response to which the State Bank indicated that it will use its best efforts to prevent the matter from being heard by a jury and in turn filed unsuccessful motions to dismiss the litigation. Following the recent court decision, the Village is eager to proceed with depositions in hopes of swiftly proceeding to trial so that the residents of Whispering Ridge subdivision can finally see their subdivision completed.