

**IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL DISTRICT  
DUPAGE COUNTY, WHEATON, ILLINOIS-LAW DIVISION**

SHELTON BROTHERS INC,	)	
	)	
Plaintiff/Counter-Defendant,	)	
	)	
v.	)	
	)	
RIVER NORTH SALES & SERVICE, LLC ,	)	Case No. 2014 L 557
	)	
Defendant/Counter-Plaintiff.	)	

**FINAL JUDGMENT ORDER**

This matter having come before the Court via remote video conference through the Zoom application pursuant to Administrative Order 20-20, the Court having jurisdiction, reviewed all the briefs, heard oral argument by the parties, all parties being present, and being fully advised in the premises:

**IT IS HEREBY ORDERED** as follows:

For the reasons stated on the record:

- 1) Shelton Brothers, Inc.'s ("Shelton Brothers") Petition for Attorney's Fees and Costs is denied as the Court ruled that Shelton Brothers is not a prevailing party in this lawsuit.
- 2) River North Sales & Service, LLC's ("River North") Petition for Attorney's Fees and Costs is granted in part, pursuant to Illinois Beer Industry Fair Dealing Act ("BIFDA") as the prevailing party in this lawsuit under Section 9(5) and also pursuant to Section 9(7) under the Court's finding of lack of good faith. The Court finds that Section 9(5) subsumes Section 9(7) as the entirety of River North's attorney's fee award. In the Court's exercise of discretion having ruled on every status, motion, and conducted the bench trial and being very familiar with all aspects of the conduct of this litigation, the amount of fees awarded, for the reasons stated on the record, is reduced by 15% of the requested amount. No fees are awarded for non-BIFDA litigation.
- 3) River North's costs are awarded pursuant to Sections 9(5), and 9(7), and expenses pursuant to Section 9(4), but for the reasons stated on the record are reduced by \$25,000 of the amount requested.
- 4) Accordingly, the Court enters (for the reasons stated in its Memorandum dated March 17, 2020 and its Action Order dated March 17, 2020) final judgment in favor of River North and against Shelton Brothers on Counts III and VI of River North's Fourth Amended Counterclaim. Final Judgments are entered in the following amounts:

- a. Count VI in the amount of \$112,558.62
  - b. Count III in the amount of \$702,861.20
  - c. Pursuant to 815 ILCS 720 Sec. 9(7) the amount of \$100,000 in favor of River North and against Shelton Brothers
- 5) The Court's final attorneys' fees, costs and expenses are awarded for the reasons stated on the record in the hearing dated May 11, 2020, and in the following amounts:
  - a. Attorneys' fees in the amount of \$1,065,066.00
  - b. Costs and expenses in the amount of \$149,030.16
- 6) The final total judgment equals: \$2,129,515.98

THIS IS A FINAL AND APPEALABLE ORDER.

Entered:   
Judge Dorothy French Mallen

Dated: May 11, 2020

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