

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:		NEW ASSIGNMENT	
NATURE OF CONVEYANCE:		Court Order & Judement	
CONVEYING PARTY DATA			
Name		Formerly	Execution Date
M3CVP - NICK'S FISHMARKET RESTAURANTS LLC			11/03/2009
			Entity Type
			LIMITED LIABILITY COMPANY: DELAWARE
RECEIVING PARTY DATA			
Name:	JP MORGAN CHASE BANK, N.A.		
Street Address:	One Chase Manhattan Plaza		
Internal Address:	26th Floor		
City:	New York		
State/Country:	NEW YORK		
Postal Code:	10081		
Entity Type:	National Banking Association:		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	2298264	NICK'S FISHMARKET	
CORRESPONDENCE DATA			
Fax Number:	(608)251-9166		
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>			
Phone:	312-715-5260		
Email:	noehler@quarles.com		
Correspondent Name:	Richard W. Young		
Address Line 1:	300 N. LaSalle Street		
Address Line 2:	Suite 4000		
Address Line 4:	Chicago, ILLINOIS 60654-3406		
ATTORNEY DOCKET NUMBER:		043133.00030	
NAME OF SUBMITTER:		May M. Mowzoon	
Signature:		/May M. Mowzoon/	

CH \$40.00 2298264

Date:

11/03/2009

Total Attachments: 5

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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT – FIRST DISTRICT**

JP MORGAN CHASE BANK, N.A.,)
)
Plaintiff,)

v.)

M3CVP - NICK'S FISHMARKET)
RESTAURANTS LLC, a Delaware limited)
liability corporation, d/b/a Nick's Fishmarket;)
and M3CVP - NF CHICAGO, LLC, a)
Delaware limited liability corporation, d/b/a)
Nick's Fishmarket; HARMAN-NICKOLAS)
RESTAURANT GROUP, INC., an Illinois)
corporation,)

Case No.: 09 M1 718993

Defendants.)

AGREED ORDER OF POSSESSION AND CONSENT JUDGMENT

This matter coming on to be heard by the Court for trial between Plaintiff, JP MORGAN CHASE, N.A., ("Plaintiff"), and Defendants M3CVP - NICK'S FISHMARKET RESTAURANTS LLC, a Delaware limited liability corporation, d/b/a Nick's Fishmarket; and M3CVP - NF CHICAGO, LLC, a Delaware limited liability corporation, d/b/a Nick's Fishmarket; (referred to hereinafter sometimes collectively as "Defendants"); proper service of process having been effected upon Defendants; Defendants having filed appearances in this cause, the Court having jurisdiction of the parties and subject matter of this action; the parties being in full agreement; and the Court being fully advised in the premises;

IT IS HEREBY FOUND AND ORDERED:

1. That Plaintiff is the landlord of a building commonly known as Chase Tower formerly known as One Bank One Plaza, Chicago, Cook County, Illinois, and formerly known prior to that as One First National Plaza (the "Building").

2. That Defendants are doing business as Nick's Fishmarket Restaurant in Cook County, Illinois, and in the Building.

3. Plaintiff and Defendant Harman-Nickolas (who is not a party to this Agreed Order) entered into a certain Restaurant Lease, Parking Space Permit Agreement, and Plaza License Agreement, all dated September 15, 1997 (collectively, the "Lease") for premises comprising approximately 14,516 rentable square feet in the Building, use of four (4) automobile parking spaces located at either the upper or lower parking level at Chase Tower, and non-exclusive use of the area commonly known as the southwest areas of the Plaza in Chase Tower for outdoor dining purposes (the "Premises"). The term of the Lease expires on November 30, 2017.

4. Harman-Nickolas assigned and transferred all of its right, title, and interest in and to the Lease to M3CVP - Nick's Fishmarket Restaurants, LLC pursuant to an Assignment and Assumption of Lease dated December 15, 2003 (the "Assignment").

5. M3CVP - Nick's Fishmarket Restaurants, LLC purports to have assigned and transferred all of its right, title, and interest in and to the Lease to M3CVP - NF Chicago, LLC, pursuant to an Assignment and Assumption of Lease dated February 13, 2004 (the "Second Assignment"). Nonetheless, M3CVP-Nick's Fishmarket Restaurants, LLC remained fully liable for all tenant obligations under the Lease.

6. Defendants' right of possession of the Premises has terminated as a result of Defendants' default under the Lease for failure to pay rent due and owing under the Lease, in response to a 5 day notice served on Defendants.

7. Defendants currently owe Plaintiff Three Hundred Ten Thousand, Nine Hundred Forty-Five and 48/100 Dollars (\$310,945.48) in rent under the Lease.

8. An order of possession (the "Order of Possession") in the form provided by the Sheriff of Cook County, shall be entered by separate order in favor of Plaintiff and against Defendants with respect to the Premises at the previously schedule trial date in this matter on November 3, 2009. The Order of Possession shall be effective immediately, and without delay.

9. Plaintiff shall insure that Defendants shall have full access to the loading docks and elevator at the Building until 5:00 p.m. CST on November 2, 2009 in order to remove their furniture, fixtures and equipment.

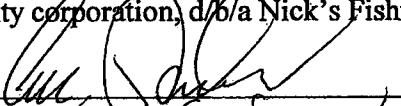
10. Defendants consent to a judgment (the "Consent Judgment") in favor of Plaintiff and against Defendants, jointly and severally, in the amount of Three Hundred Ten Thousand, Nine Hundred Forty-Five and 48/100 Dollars (\$310,945.48), plus \$18,616.80 in attorneys' fees and \$871.80 in costs, for a total judgment amount of Three Hundred Thirty Thousand, Four Hundred Thirty-Four and 08/100 Dollars (\$330,434.08). The Consent Judgment shall be entered in the form attached hereto as Exhibit 1.

AGREED TO:
JP MORGAN CHASE BANK N.A.


By: 
One of its Attorneys

Leonard S. Shifflett
Anthony P. Steinike
QUARLES & BRADY LLP
300 North LaSalle Street
Suite 4000
Chicago, Illinois 60654
Telephone: (312) 715-5000
Firm No. 36566

M3CVP - NICK'S FISHMARKET
RESTAURANTS LLC, a Delaware limited
liability corporation, d/b/a Nick's Fishmarket

By: 
Name: LLC G. Suckard
Title: ITS Manager

M3CVP - NF CHICAGO, LLC, a Delaware
limited liability corporation, d/b/a Nick's
Fishmarket

By: 
Name: LLC G. Suckard
Title: ITS Manager

Entered: Judge Orville E. Hamburg, Jr.
Judge

NOV 03 2009

Circuit Court 1897

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JP MORGAN CHASE BANK, N.A.,)

Plaintiff,)

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M3CVP - NICK'S FISHMARKET)
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liability corporation, d/b/a Nick's Fishmarket;)
and M3CVP - NF CHICAGO, LLC, a)
Delaware limited liability corporation, d/b/a)
Nick's Fishmarket; HARMAN-NICKOLAS)
RESTAURANT GROUP, INC., an Illinois)
corporation,)

Case No.: 09 M1 718993

Defendants.)

CONSENT JUDGMENT

This cause coming to be heard on agreed motion for entry of stipulated judgment, the parties being in agreement, due notice having been given, and the Court being fully advised in the premises:

IT IS HEREBY ORDERED:


That Judgment is hereby entered in favor of Plaintiff, JP MORGAN CHASE BANK, N.A. ("Plaintiff"), and against Defendants M3CVP - NICK'S FISHMARKET RESTAURANTS LLC, and M3CVP - NF CHICAGO, LLC, jointly and severally, in the amount of Three Hundred Ten Thousand, Nine Hundred Forty-Five and 48/100 Dollars (\$310,945.48), plus \$18,616.80 in attorneys' fees and \$871.80 in costs, for a total judgment amount of Three Hundred Thirty Thousand, Four Hundred Thirty-Four and 08/100 Dollars (\$330,434.08).

Entered: _____

Judge Orville E. Hambright Jr.
NOV 03 2009
Judge
Circuit Court 1897

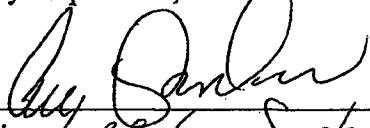
ACKNOWLEDGED AND AGREED TO:

JP MORGAN CHASE BANK N.A.

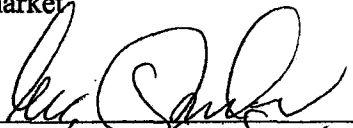
By: 
One of its Attorneys

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Anthony P. Steinike
QUARLES & BRADY LLP
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Suite 4000
Chicago, Illinois 60654
Telephone: (312) 715-5000
Firm No. 36566

M3CVP - NICK'S FISHMARKET
RESTAURANTS LLC, a Delaware limited
liability corporation, d/b/a Nick's Fishmarket

By: 
Name: Lee G. Suckow
Title: ITS Manager

M3CVP - NF CHICAGO, LLC, a Delaware
limited liability corporation, d/b/a Nick's
Fishmarket

By: 
Name: Lee G. Suckow
Title: ITS Manager