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RESOLUTION OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS, APPROVING A PARTIAL SETTLEMENT AGREEMENT AND RELEASE IN *RTA, ET AL. V. CITY OF KANKAKEE* LITIGATION

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WHEREAS, in the fall of 2011, the Village of Orland Park joined in a lawsuit filed by the RTA, Cook County, and a number of suburban municipalities against the City of Kankakee and the Village of Channahon ("**Municipal Defendants**"), a number of sales tax broker entities ("**Broker Defendants**"), and retailers, claiming that the defendants had conspired to improperly source sales of goods outside of the plaintiffs' jurisdictions to avoid local and regional sales taxes; and

WHEREAS, this case, *RTA, et al. v. City of Kankakee*, has proceeded in the Cook County Circuit Court under the consolidated case numbers 2011 CH 29744 and 2011 CH 34266 (collectively, the "**Litigation**"); and

WHEREAS, the RTA and its co-plaintiffs, including the Village have come to settlement terms with the Municipal Defendants and Inspired Development, LLC and Ryan, LLC, two of the Broker Defendants, which would release those Broker Defendants and settle claims with regard to approximately \$860,000 in funds being held in escrow by the Municipal Defendants. The proposed settlement will not end the Litigation but will facilitate the resolution of claims with the remaining defendants; and

WHEREAS, the Board of Trustees has determined that approval of the proposed partial Settlement Agreement and Release ("**Agreement**") is in the best interest of the Village and its residents to approve the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ORLAND PARK, Cook and Will Counties, as follows:

SECTION 1:

The Agreement is hereby approved in the form attached to, and by this referenced made a part of, this Resolution as **Exhibit A**.

SECTION 2:

The Village President shall be and is hereby authorized and directed to execute the Agreement.