

Minor Errors Axe Judgment Lien

“Based on a mistake about when a Cook County default judgment became final – plus a 60-cent discrepancy between the amount of the judgment (\$238,007.61) and the amount listed in a memorandum of judgment (\$238,007.01) that the plaintiffs filed as a lien on the defendant’s real estate in Will County,” reports Steven P. Garmisa in Chicago Daily Law Bulletin’s *Courts & Cases*.

“Leonard and Cecilia Urban sued Joseph L. Blewitt in Cook County. On August 6, 2003, a default judgment was entered against Blewitt, in favor of Leonard, in the amount on \$238,007.61. And on March 29, 2004, a Cook County judge (1) denied Blewitt’s motion to vacate and (2) revised the judgment to include Cecilia. As the judge explained: ‘The order of August 6, 2003, was considered by the court at that time to adjudicate all claims, therefore the order will be considered to include the non-injured spouse (Ms. Urban) nunc pro tunc to August 6, 2003.’”

“A Rule 23 order from the 1st District (a) affirmed the order that denied Blewitt’s motion to vacate (b) ruled that the judge erred in adding Cecilia nunc pro tunc and (c) concluded that the March 29, 2004, order was the final judgment that resolved all the claims of all the parties – with a money judgment for Leonard and no award for Cecilia.”

“On Sept. 16, 2004, the Urbans filed a memorandum of judgment in Will County that listed Leonard and Cecilia having scored a default judgment of \$238,007.61 on Aug. 6, 2003. But on Feb. 28, 2006, the Urbans filed a memorandum of judgment that said the default judgment was \$238,007.01.”

Read the article.