

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT-CHANCERY DIVISION

IN THE MATTER OF THE POSSESSION)
AND CONTROL OF THE COMMISSIONER)
OF BANKS AND REAL ESTATE OF) Case No.: 00 CH 05905
INDEPENDENT TRUST CORPORATION)
A/KA/ INTRUST, AN ILLINOIS)
CORPORATE FIDUCIARY,)

MOTION OF Mrs (Dori Silverman) Barbara Silverman FOR EXCLUSION FROM
ALLOCATION OF SHORTFALL

Mrs Barbara Silverman (“Silverman”) requests that this court find that his investment account at Independent Trust Corporation (“Intrust”) is excluded from the proposed allocation of the customer fund shortfall. Silverman represents that his account, Intrust account number 850394, which was opened in 12/96, should be excluded from the allocation because substantially all cash in the account was not subject to risk since it was substantially fully invested in mutual funds on each of the dates after 12/23/96 which Intrust transferred funds to Intercounty Title.

The statements for account number 850394 attached hereto indicate that Silverman’s account is eligible for such exclusion because on the dates when Intrust transferred funds to Intercounty Title, the account was nearly 100% fully invested in mutual funds. Therefore, none of the Silverman’s funds could have been among the funds so transferred.

WHEREFORE, Silverman requests the entry of an order finding that his account is excluded from the allocation of the shortfall in customer funds at Intrust.

Respectfully submitted,

Mrs. Barbara Silverman

Dated: August 14, 2000

By: _____
One of his attorneys

Stephen T. Bobo (#6182054)
Vanessa L. Vargas (#66226284)
D’Ancona & Pflaum LLC
111 E. Wacker Drive - Suite #2800
Chicago, IL 60601
(312) 602-2000
Firm ID#36510