

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

vs.

No. _____

ORDER FOR REPLEVIN (WITHOUT NOTICE)

On motion of the plaintiff, _____,

that an order of replevin issue without notice to the defendant, _____,
the court finds:

*1. The defendant, who is not a consumer as defined in Section 4a of "An Act to revise the law in relation to replevin" approved February 9, 1874, as amended, has voluntarily, intelligently and knowingly waived, in writing, notice and hearing to contest the issuance of an order of replevin.

**2. Summary seizure of the property without notice is justified by reason of the necessity to:

(a) protect the plaintiff from an immediately impending harm which will result from the imminent destruction of concealment of the disputed property in derogation of the plaintiff's rights in the property;

(b) protect the plaintiff from an immediately impending harm which will result from the imminent removal of the disputed property from the state, taking into consideration the availability of judicial remedies in the event of such removal;

(c) protect the plaintiff from an immediately impending harm which will result from the perishable nature of the disputed property under the particular circumstances at the time of the action;

(d) protect the plaintiff from an immediately impending harm which will result from the imminent sale, transfer or assignment of the disputed property to the extent such sale, transfer or assignment is fraudulent or in derogation of the plaintiff's rights in the property;

(e) recover the property from a defendant who has obtained possession by the theft.

3. The plaintiff has established a prima facie case to a superior right to possession of the disputed property and has also demonstrated to the court the probability that he/she will ultimately prevail on the underlying claim to possession.

IT IS THEREFORE ORDERED that the Sheriff of Cook County or such other officer to whom this is directed, having received, from the plaintiff or someone else on his/her behalf, a bond of sufficient security in double the value of the property described herein and valued at \$ _____

take the specified property of the defendant _____ that may be found in your county and described as follows:

and deliver the same to the plaintiff _____

unless such defendant _____ executes a bond and security in double the value of the property described herein in which case you shall return said bond so taken together with this order to the clerk of the court, and that you summon said defendant

_____ to answer the complaint of the plaintiff in this cause by filing said answer or appearance with the clerk of the court in Room _____ at _____, Illinois on or before _____, _____ at 9:30 A.M. or in case the property or any part thereof is not found to answer the plaintiff for the value of the same.

ENTER: _____
Judge Judge's No.

I hereby certify the above to be correct.

Dated _____, _____
Clerk of the Circuit Court of Cook County, Illinois

(Seal of Clerk of Circuit Court)

THIS ORDER IS THE COMMAND OF THE CIRCUIT COURT AND VIOLATION THEREOF IS SUBJECT TO THE PENALTY OF THE LAW.

*Strike if not applicable.

**Strike (a) (b) (c) (d) or (e) if not applicable. At least one of said subdivisions must remain.

Atty. No.: _____

Name: _____

Atty. for: _____

Address: _____

City/State/Zip: _____

Telephone: _____