Hearing Date: No hearing scheduled
Location: <<CourtRoomNumber>>
Judge: Calendar, 64

FILED DATE: 9/29/2026 11:48 AM 2025CH10558

FILED
9/29/2026 11:48 AM
Mariyana T. Spyropoulos
CIRCUIT CLERK
COOK COUNTY, IL
2025CH10558
Calendar, 64
40229182

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

FIRST BANK OF HIGHLAND PARK, a Division of First Bank Chicago, an Illinois Corporation,	)	No. 25 CH 10558
	)	Calendar No. 64
Plaintiff,	)	Hon. James A. Wright
v.	)	2701-09 W. Fulton St., Chicago, IL 60612
THE FULTON BUILDING, LLC, an Illinois limited liability company; MICHAEL FEDEROW, an Individual; and UNKNOWN OWNERS AND NON-RECORD CLAIMANTS,	)	
Defendants.	)	

PETITION OF PHILLIP BLEICHER AND CHRISTIAN BLACK FOR LEAVE TO INTERVENE FOR A LIMITED PURPOSE

Petitioners PHILLIP BLEICHER, the occupant of Unit 3N at 2701-09 W. Fulton St., and CHRISTIAN BLACK, the lessee named in the Unit 3N lease (together, "Petitioners"), by their attorney, Corinthia Hicks, petition under 735 ILCS 5/2-408 for leave to intervene in this action for the limited purpose of seeking instructions to the Court's receiver, and state:

1. The property in foreclosure, 2701-09 W. Fulton St. (the "Building"), is a multi-tenant building. The Court's Order Appointing Receiver entered August 31, 2026 (the "Order," of record) appointed Daniel J. Hyman as receiver (the "Receiver"), directed "the tenants of the property" to pay rent to the Receiver from the Order's effective date, and directed the Receiver to give notice to "all occupants of the property" under 735 ILCS 5/15-1704(f). (Order ¶¶ 1, 4.)

2. Unit 3N has been Petitioner Bleicher's home since August 2022. The letter of intent CDM Media, Inc. sent the mortgagor on August 9, 2022, at its request, signed by Petitioner Black, states: "I will use the space as a live/work space." A second version, signed by

FILED DATE: 9/29/2026 11:48 AM 2025CH10558

both Petitioners and handed to the mortgagor at the lease signing, states: "We will use the space as a live/work space." The lease dated August 12, 2022 names Petitioner Black as lessee and CDM Media, Inc., Petitioner Bleicher's company, as the business to be conducted. CDM Media, Inc. paid the rent, $3,385 per month, every month from August 2022 through July 2026. Petitioner Black does not live in the unit; Petitioner Bleicher occupies it with his knowledge and consent. (Verified Statements of Bleicher and Black, Exs. A and B to the accompanying motion; Exs. C and D.)

3. Petitioners are not parties to this action. The relief they seek concerns the administration of an estate in this Court's custody, and this Court is the forum for it. A receiver "is an officer of the court by which he is appointed, and his possession is regarded as the exclusive possession of the court." *Mulcahey v. Strauss*, 151 Ill. 70, 91–92 (1894). "[A]ny party seeking to proceed against a receiver must obtain the permission of the appointing court." *Prairie States Petroleum Co. v. Universal Oil Sales Corp.*, 88 Ill. App. 3d 753, 781 (1st Dist. 1980). See Calendar 64 Standing Order § XXI(h); cf. 735 ILCS 5/2-415(c) (an action against a receiver remains "subject to the jurisdiction of the court in which the receiver was appointed, so far as the same is necessary to the ends of justice").

4. As set out in the accompanying Emergency Motion for Instructions to the Receiver, filed with this petition as 735 ILCS 5/2-408(e) requires: on September 22, 2026 the Receiver served on Unit 3N a five-day notice of termination, addressed to "Christine Black," demanding $23,950.88, about seven months of the unit's rent, although his authority to collect rent began August 31, 2026; the unit has had no heat since a carbon-monoxide event on September 3, 2026, and on September 24 the Receiver declined to restore it without the lease; and the same day he twice asked Petitioner Bleicher to vacate his home. Within 21 days of his

FILED DATE: 9/29/2026 11:48 AM 2025CH10558

appointment the Foreclosure Law required the Receiver to give each known occupant a written notice that identifies the occupant "by the name known to the receiver" and states: "This is NOT a notice to vacate the premises." 735 ILCS 5/15-1704(f)(2)(i), (iv). None was given.

5. **Intervention as of right.** A person may intervene as of right "when the applicant is so situated as to be adversely affected by a distribution or other disposition of property in the custody or subject to the control or disposition of the court or a court officer." 735 ILCS 5/2-408(a)(3). Unit 3N, its possession and its rents are in the custody of this Court's Receiver, and the Receiver has asked Petitioner Bleicher to vacate it. Petitioner Bleicher is an "occupant," "a person in lawful physical possession of all or part of the mortgaged real estate." 735 ILCS 5/15-1223. Petitioners may also intervene "when the representation of the applicant's interest by existing parties is or may be inadequate and the applicant will or may be bound by an order or judgment in the action." 735 ILCS 5/2-408(a)(2). No existing party represents Petitioners' interest: the plaintiff seeks to protect its collateral, the mortgagor's interests are adverse to its tenants', and the Receiver is the person whose conduct is at issue. Petitioners are already bound by the Order (¶ 4) and will be bound by any instruction the Court gives its Receiver concerning occupants.

6. **Permissive intervention.** Alternatively, Petitioners' claim and the main action "have a question of law or fact in common," 735 ILCS 5/2-408(b)(2): the scope of the Receiver's authority under the Order and 735 ILCS 5/15-1704, and the administration of the receivership estate.

7. **Timeliness and limited scope.** This petition is brought within days of the conduct that occasioned it. Petitioners do not contest the foreclosure, the plaintiff's lien, or the appointment of a receiver. They ask only that the Court instruct its Receiver in his dealings with

FILED DATE: 9/29/2026 11:48 AM 2025CH10558

the occupants of Unit 3N and, where the Court finds it appropriate, the Building. The Court may limit an intervenor's role in the order allowing intervention, including by providing that the intervenor "shall not raise new issues or add new parties." 735 ILCS 5/2-408(f). Intervention for that limited purpose will not delay or prejudice the adjudication of the rights of the original parties. Petitioners reserve all other claims and defenses, including those under the Landlord Retaliation Act, 765 ILCS 721, and RLTO §§ 5-12-110, 5-12-150 and 5-12-180.

8. Counsel for Petitioners will file an appearance on their behalf with this petition.

WHEREFORE, Petitioners respectfully request that the Court:

A. Grant them leave to intervene in this action for the limited purpose of seeking instructions to the Receiver and related relief;

B. Deem the accompanying Emergency Motion for Instructions to the Receiver filed instanter; and

C. Grant such other relief as is just.

Respectfully submitted,

PHILLIP BLEICHER and CHRISTIAN BLACK

By: /s/ Corinthia Hicks
One of their attorneys

Corinthia Hicks, Esq.
ARDC No. 6352965
Cook County Attorney No. 103517
2705 W. Fulton St., Unit 3N
Chicago, IL 60612-2003
(305) 438-9450
corinthia@flavaworks.com

Statement pursuant to Calendar 64 Standing Order § XII(i): this document was prepared in part with the assistance of artificial intelligence, and has been reviewed and adopted by counsel, who has verified each citation.