

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEE LUEBKE, WHPC-DWR, LLC,
CARDINAL CAPITAL
MANAGEMENT, INC.,

Defendants.

Case No. 10-CV-590-JPS

CONSENT ORDER

On July 14, 2010, the United States of America filed a complaint pursuant to 42 U.S.C. § 3612(o) of the Fair Housing Act, as amended (the "Act"), on behalf of Richard Singsime alleging that WHPC-DWR, LLC; Cardinal Capital Management, Inc., and Dee Luebke violated the Act by refusing to provide an accessible parking space for Mr. Singsime. On March 14, 2011, Mr. Singsime filed an intervenor complaint in this action.

The United States and WHPC-DWR, LLC, Cardinal Capital Management, Inc., and Dee Luebke (hereinafter the "parties") agree that settlement of the claims of the United States of America without further litigation is in the public interest. The parties agree that this Court has jurisdiction over this action under 28 U.S.C. §§ 1331 and 1345 and 42 U.S.C. § 3612(o). The parties further agree that settlement and entry of this Consent Order does not constitute an admission or acknowledgment of liability or wrongdoing by WHPC-DWR, LLC, Cardinal Capital Management, Inc., or Dee Luebke, but is intended solely to settle all claims asserted by the United States of America against them in this action. Nothing in this Consent Order should be construed to resolve or otherwise affect Mr. Singsime's pending

lawsuit in this court against WHPC-DWR, LLC, Cardinal Capital Management, Inc., and Dee Luebke. Therefore, the parties agree to the entry of this Consent Order ("Order").

IT IS HEREBY ORDERED that:

1. The United States of America's claims against Dee Luebke, WHPC-DWR, LLC, and Cardinal Capital Management, Inc. shall be dismissed with prejudice, except that the Court shall retain jurisdiction to enforce the terms of this Order until August 3, 2013. As indicated in Paragraphs 2 through 5, of this Order, Dee Luebke shall have no obligations with respect to this Order, except those she may have in her capacity as an employee or agent of WHPC-DWR, LLC and Cardinal Capital Management, Inc. (collectively referred to herein as "Defendants").

2. During the term of this Consent Order, Defendants shall continue to comply with all terms of the Voluntary Compliance Agreement ("VCA") between the United States Department of Housing and Urban Development ("HUD") and WHPC-DWR LLC, HUD Case number 05-09-0210-4, signed on behalf of WHPC-DWR, LLC on August 3, 2010, including maintaining the accessible parking stalls as outlined in paragraph 9(b) of the VCA.¹

3. The parties shall endeavor in good faith to resolve informally any differences regarding the interpretation of and compliance with this Order prior to bringing such matters to the Court for a resolution. However, in the event of a failure by Defendants to perform in a timely manner any act

¹The parties agree that Defendant Cardinal Capital Management, Inc., while not a signatory to the VCA, is bound by the VCA in the same manner and to the same degree as WHPC-DWR, LLC, in its capacity as agent of same, for purposes of this Consent Order.

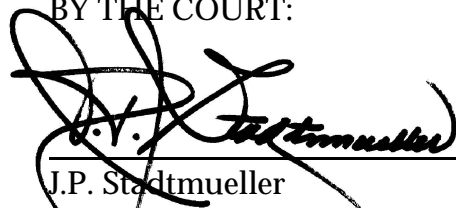
required by this Order, or a violation by Defendants of any provision thereof, the United States of America may move this Court to impose any remedy authorized by law or equity.

4. Any time limits for performance imposed by this Order may be extended by the mutual, written agreement of the United States of America and Defendants.

5. Each party to this Order shall bear its own costs and attorney's fees associated with this litigation.

Dated at Milwaukee, Wisconsin, this 7th day of September, 2011.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge

Entered this 7th day of September 2011.

JON W. SANFILIPPO
Clerk of Court

By: s/ Nancy A. Monzingo
Deputy Clerk