

Illinois Official Reports

Supreme Court

Chultem v. Ticor Title Insurance Co., 2017 IL 120448

Caption in Supreme Court: DOLJIN CHULTEM *et al.*, Appellants and Cross-Appellees, v. TICOR TITLE INSURANCE COMPANY *et al.*, Appellees and Cross-Appellants.

Docket No. 120448

Filed May 18, 2017
Rehearing dismissed September 25, 2017

Decision Under Review Appeal from the Appellate Court for the First District; heard in that court on appeal from the Circuit Court of Cook County, the Hon. Mary L. Mikva, Judge, presiding.

Judgment Appeal dismissed.

Counsel on Appeal Todd A. Smith and Joseph A. Power, Jr., of Power Rogers & Smith, PC, Stephen M. Tillery, George A. Zelcs, and John A. Libra, of Korein Tillery LLC, and Myron M. Cherry and Jacie Zolna, of Myron M. Cherry & Associates, LLC, all of Chicago, for appellants.

Craig C. Martin, Michael T. Brody, and Elin I. Park, of Jenner & Block LLP, Timothy M. Frey, of Skadden Arps, Slate, Meagher & Flom, both of Chicago, Scott C. Lascari, of Fidelity National Title & Chicago Title, of Carol Stream, and Robert J. Fogarty, Erica L. Calderas, and Dennis R. Rose, of Hahn Loeser & Parks LLP, of Cleveland, Ohio, for appellees.

PER CURIAM

OPINION

¶ 1 In this case, one Justice of this court has recused himself, and the remaining members of the court are divided so that it is not possible to secure the constitutionally required concurrence of four judges for a decision (see Ill. Const. 1970, art. VI, § 3). Accordingly, the appeal is dismissed. The effect of this dismissal is the same as an affirmance by an equally divided court of the decision under review but is of no precedential value. See *Perlman v. First National Bank of Chicago*, 60 Ill. 2d 529, 530 (1975).

¶ 2 THOMAS, J., took no part.