

Exhibit E

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EUGENE CHERNYAVSKY, individually and on behalf of all others similarly situated,)	
)	
Plaintiff,)	No. 08 C 4009
)	
v.)	Magistrate Judge Schenkier
)	(consent filed)
INLAND BANK & TRUST d/b/a Cambridge Bank,)	
)	
Defendant.)	

AMENDED PRELIMINARY APPROVAL ORDER

This matter coming before the Court on the joint request of the parties for preliminary approval of a Class Action Settlement Agreement and Release, and based upon the papers submitted to the Court and all of the proceedings had in this matter to date, IT IS HEREBY ORDERED:

1. Solely for purposes of settlement, the following Settlement Class is certified pursuant to Fed. R. Civ. P. 23(b)(3): All persons who, from July 15, 2007 to May 17, 2008, were charged a transaction fee for the use of either of the following automated teller machines operated by Inland Bank & Trust f/k/a Cambridge Bank:

Branch	Address	Type	ATM No.
Morton Grove	6111 W. Dempster St., Morton Grove, IL 60053	Drive-up	42710
Lake Zurich	1100 S. Rand Rd., Lake Zurich, IL 60047	Drive-up	BIP0316

2. Based on the parties' stipulations, and for settlement purposes only: (A) the class as defined is sufficiently numerous such that joinder is impracticable; (B) common questions of law and fact predominate over any questions affecting only individual Class Members, and include whether

or not the absence of a posted notice at the ATM machines identified above violated the requirements of the Electronic Funds Transfer Act, 15 U.S.C. § 1693 *et seq.*; (C) the claim of Plaintiff Eugene Chernyavsky is typical of the Class Members' claims; (D) Plaintiff Eugene Chernyavsky is an appropriate and adequate representative for the Class and his attorneys, Lance A. Raphael, Stacy M. Bardo, and Allison A. Krumhorn are hereby appointed as Class Counsel; and (E) a class action is the superior method for the fair and efficient adjudication of the claims of the Class Members.

3. The Court finds that the proposed settlement is within the range of fairness and reasonableness and grants preliminary approval to it. In the event that the proposed settlement is not finally approved for any reason, Defendant shall, pursuant to the Settlement Agreement, retain its right to contest certification of the Class.

4. The Court approves the amended proposed form of notice to the Class which shall be posted on the ATM machines, and directs that this notice be implemented by no later than June 1, 2009. The Court further finds that no additional published notice is necessary. Counsel shall file an affidavit(s) with the Court, no later than July 24, 2009, attesting that notice has been so given.

5. The Court finds that the notice proposed in paragraph 2.4 of the Settlement Agreement is the only notice to the Class Members that is required and further finds that such notice satisfies the requirements of due process and Fed. R. Civ. P. 23.

6. Class Members shall have until July 15, 2009 to send in a claim form, opt out or object to the proposed Settlement Agreement.

7. Any Class Member who wants to receive a monetary portion of the Settlement Fund shall file a Claim Form, which will be available for download at www.caclawyers.com or by

contacting Class Counsel. To be timely, a Claim Form must be sent to the Settlement Administrator (address for which will be provided on the Claim Form) and postmarked no later than July 15, 2009.

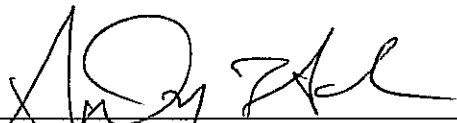
8. Any Class Member who desires to exclude himself or herself from the Class shall not be bound by the Settlement Agreement and shall not be entitled to any of its benefits. To be timely, a request for exclusion must be sent to the Settlement Administrator (address for which will be provided on the Claim Form) and postmarked no later than July 15, 2009.

9. To be effective, the request for exclusion must make clear that exclusion is sought by stating: "I WANT TO BE EXCLUDED FROM THE SETTLEMENT CLASS IN *CHERNYAVSKY v. INLAND/CAMBRIDGE BANK*." The request for exclusion must also contain the excluded Class Member's name, address, and signature.

10. Any Class Member who objects to the settlement contemplated by the Settlement Agreement shall have a right to appear and be heard at the Final Approval Hearing provided that such Class Member files with the Court and delivers to Class Counsel and Defendant's counsel a written notice of objection together with a statement of reasons for the objection, postmarked no later than July 15, 2009. Class Counsel and Defendant's counsel may, but need not, respond to the objections, if any, by means of a memorandum of law by July 24, 2009.

11. A Final Approval Hearing on the fairness and reasonableness of the Settlement Agreement will be held before this Court on July 31, 2009 at 9:00 a.m.

ENTER:



SIDNEY I. SCHENKIER
United States Magistrate Judge

DATED: June 1, 2009