

**E-FILED**  
Monday, 26 July, 2010 02:51:10 PM  
Clerk, U.S. District Court, ILCD

**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS  
SPRINGFIELD DIVISION**

CENTRAL ILLINOIS	)	
CARPENTERS HEALTH &	)	
WELFARE FUND, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 10-3071
	)	
ENTLER EXCAVATING CO., INC.,	)	
	)	
Defendant.	)	

**OPINION**

JEANNE E. SCOTT, U.S. District Judge:

This matter comes before the Court on the Plaintiffs’ Motion for Default Judgment (d/e 8). The Plaintiffs have properly served Defendant Entler Excavating Co., Inc.; the Defendant has not responded; and the Court has found Defendant to be in default. Entry of Default (d/e 7). The Plaintiffs have further filed this Motion, given appropriate notice, and Defendant has still not responded. The Plaintiffs, however, have not been able to establish the amount due and owing from the Defendant. Based on the foregoing, the Court will allow the Motion in part to find that Defendant is liable to Plaintiffs as set forth in the Complaint (d/e 1). In

order to determined the amount of liability and reduce the matter to judgment, the Court will further order the Defendant to provide records to the Plaintiffs to allow the Plaintiffs to determine the amount of liability.

THEREFORE, the Motion for Default Judgment (d/e 8) is ALLOWED in part. The Court hereby finds that Defendant Entler Excavating Co., Inc., is liable to the Plaintiffs as alleged in the Complaint (d/e 1). The Court reserves ruling on the request for attorney fees until the amount of liability can be determined and reduced to judgment. In order to determined the amount of liability, the Court hereby orders Defendant Entler Excavating Co., Inc., to remit to Plaintiffs payroll records and contribution reporting forms for the period of October 1, 2004, through current on or before August 15, 2010, and otherwise fully co-operate with Plaintiffs' payroll compliance examination. The Court, further, orders Defendant Entler Excavating Co., Inc., to perform and continue to perform all its obligations to Plaintiffs, including without limitation, submitting contribution reporting forms with payment to Plaintiffs.

IT IS THEREFORE SO ORDERED.

ENTER: July 26, 2010

FOR THE COURT:

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s/ Jeanne E. Scott  
JEANNE E. SCOTT  
UNITED STATES DISTRICT JUDGE