

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

CENTRAL LABORERS')
PENSION FUND, et al.,)

Plaintiffs,)

v.)

No. 08-3065

ALLIANCE COMMERCIAL)
CONCRETE INC., ALLIANCE)
CONCRETE CONSTRUCTION LLC,)
ALLIANCE FOUNDATION INC.,)

Defendants.)

**OPINION AND ORDER FOR
PRODUCTION OF RECORDS**

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

This matter comes before the Court upon Plaintiffs' Motion for Default Judgment or in the Alternative, an Accounting/Evidentiary Hearing Against Defendants, Alliance Commercial Concrete, Inc., and Alliance Foundation, Inc. (d/e 10). The Court, being fully advised in the premises, finds that Defendants have failed to answer the Complaint (d/e 1) in a timely fashion as required by the Federal Rules of Civil Procedure.

Plaintiffs' Motion asks that the Court order an accounting of the

amount owing from Defendant, Alliance Commercial Concrete, Inc., to the Plaintiffs for unpaid contributions for the period from January 1, 2005, to the present and for an accounting of the amount owing from Defendant, Alliance Foundation, Inc., to the Plaintiffs for unpaid contributions for the period from January 1, 2002, to the present.

THEREFORE, Plaintiffs' Motion for Default Judgment or in the Alternative, an Accounting/Evidentiary Hearing Against Defendants, Alliance Commercial Concrete, Inc., and Alliance Foundation, Inc. (d/e 10) is ALLOWED in part. The Court orders Defendant, Alliance Commercial Concrete, Inc., to appear and produce any and all payroll books and any other records and contribution reporting forms to permit a payroll audit for the period from January 1, 2005, to the present at the law offices of Cavanagh & O'Hara, 407 East Adams Street, Springfield, Illinois, on November 3, 2008, at 1:30 p.m. and hereby orders Defendant, Alliance Foundation, Inc., to appear and produce any and all payroll books and any other records and contribution reporting forms to permit a payroll audit for the period from January 1, 2002, to the present at the law offices of Cavanagh & O'Hara, 407 East Adams Street, Springfield, Illinois, on November 3, 2008, at 1:30 p.m. Plaintiffs are directed to serve this Order

on Defendants Alliance Commercial Concrete, Inc., and Alliance Foundation, Inc. with proof of service.

The Court denies Plaintiffs' Motion for Default Judgment with leave to re-file the Motion after the accounting has taken place and the actual amount owed for unpaid contributions has been determined.

IT IS THEREFORE SO ORDERED.

ENTER: October 20, 2008

FOR THE COURT:

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