

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

CENTRAL LABORERS' PENSION)
FUND, et al.,)
)
Plaintiffs,)
)
v.)
)
J.P. EXCAVATING &)
TRUCKING, INC.,)
)
Defendant.)

No. 08-3294

OPINION

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

This cause coming on to be heard on Plaintiffs' Second Motion for Default Judgment, and the Court having reviewed said Motion and other pleadings, and the Compliant having been duly filed and served upon the Defendant, J.P. Excavating & Trucking, Inc., and Defendant having failed to answer or otherwise plead within the statutory time frame, Plaintiffs are hereby awarded a default judgment against Defendant J.P. Excavating & Trucking, Inc. as follows:

A. Judgment is entered in favor of the Plaintiffs and against the Defendant for contributions, liquidated damages and audit costs due and

owing for the period from October 1, 2006, through December 31, 2008,
in the total amount of \$1,446.38;

B. Defendant is ordered to pay to the Plaintiffs their attorney fees
in the amount of \$3,119.82, as provided by the trust agreements and
ERISA, 29 U.S. C. § 1132(g)(2); and

C. Defendant is ordered to pay all costs attendant to the cost of
these proceedings.

IT IS THEREFORE SO ORDERED.

ENTER: September 23, 2009

FOR THE COURT:

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