

E-FILED

Wednesday, 09 November, 2011 09:31:12 AM
Clerk, U.S. District Court, ILCD

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION**

CENTRAL ILLINOIS CARPENTERS)
HEALTH & WELFARE TRUST FUND,)
CARPENTERS RETIREMENT SAVINGS)
FUND OF ILLINOIS, CARPENTERS)
PENSION FUND OF ILLINOIS,)
MID-CENTRAL ILLINOIS REGIONAL)
COUNCIL OF CARPENTERS,)
CARPENTERS LOCAL NO. 725, and)
CARPENTERS LOCAL NO. 904,)
Plaintiff,)

v.

No. 11-3169

JE PEEK CONSTRUCTION, INC. and)
JAMES E. PEEK,)
Defendant.)

AMENDED OPINION

SUE E. MYERSCOUGH, U.S. District Judge:

The Court now considers Plaintiffs' Motion For Default Judgment (Motion) (d/e 10) pursuant to Fed.R.Civ.P. 55. In support of the Motion, Plaintiffs state as follows:

1. The Complaint in this matter was filed on June 17, 2011.
2. On June 22, 2011, the Defendants were duly served process

with a copy of the Complaint.

3. The Defendants failed to timely file a responsive pleading.

4. United States Magistrate Judge Byron Cudmore entered an Order of Default against Defendants on September 12, 2011.

In light of these facts, the Court finds that Plaintiffs are entitled to the fees, costs, and damages listed in the Motion. Specifically, a default judgment is awarded in favor of Plaintiffs and against Defendants as follows:

- A. That Judgment is entered in favor of Plaintiffs, Central Illinois Carpenters Health & Welfare Trust Fund *et al.*, and against the Defendants, JE Peek Construction, Inc. and James E. Peek, jointly and severally, in the sum of the sum of \$2,302.88 (consisting of delinquent contributions of \$6,020.20, plus liquidated damages of \$1,204.04, plus reasonable attorney's fees and costs of 1,487.25, minus a credit of \$6,408.61 for a payment received).
- B. That Judgment is entered in favor of Plaintiffs, Carpenters

Pension Fund of Illinois *et al.*, and against the Defendants, JE Peek Construction, Inc. and James E. Peek, jointly and severally, in the sum of the sum of \$4,443.98 (consisting of delinquent contributions of \$8,983.72, plus liquidated damages of \$898.37, plus reasonable attorney's fees and costs of \$1,552.75, minus a credit of \$6,990.86 for a payment received).

Plaintiffs' Motion For Default Judgment (d/e 10) is GRANTED.

This case is CLOSED.

ENTER: November 8, 2011

FOR THE COURT:

s/ Sue E. Myerscough
SUE E. MYERSCOUGH
UNITED STATES DISTRICT JUDGE