

THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

LOCAL 25 S.E.I.U. WELFARE FUND,	)	
LOCAL 25 S.E.I.U. & PARTICIPATING	)	
EMPLOYERS PENSION TRUST,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	NO. 07C 6607
	)	
McCOY SECURITY, INC., an Illinois	)	Judge Gottschall
Corporation,	)	
	)	Mag. Judge Keys
Defendant.	)	

**MOTION TO VACATE ORDER OF DISMISSAL, TO REINSTATE ACTION,  
AND FOR ENTRY OF JUDGMENT**

NOW COME the Plaintiffs and moves this Honorable Court to vacate Order of Dismissal entered on April 2, 2008, a copy of which is attached hereto as Plaintiffs' Exhibit "A", and to reinstate Plaintiffs' cause of action instanter, and for entry of judgment against the Defendant.

In support of Plaintiffs' Motion, Plaintiffs state as follows:

1) That pursuant to Settlement Agreement executed by the parties and filed with the Court on March 25, 2008, a copy of which is attached hereto as Plaintiffs' Exhibit "B", the parties agreed to a dismissal of the pending action.

2) That notwithstanding the provisions of the Settlement Agreement, specifically paragraph 1 thereof, the Defendant remitted only \$54,000.00, when it was obligated to pay \$117,000.00, and has failed to remit current contributions for October, November and December 2008, and January, February, March and April 2009.

WHEREFORE, in accordance with the provisions of the Agreed Order of Dismissal, Exhibit "A," Plaintiffs pray that the Order of Dismissal be vacated instanter, Plaintiffs' cause of action be reinstated, and that judgment enter in favor of Plaintiffs and against the Defendant in the amount of \$199,674.24, as and for the outstanding delinquencies, pursuant to the Judgment Order, which amount does not include any current delinquencies now due.

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