

was in August of 2008, and has failed to remit the payments due for September 2008, and the months thereafter.

WHEREFORE, in accordance with the provisions of the Order of Dismissal, Exhibit "A", Plaintiff prays that the Order of Dismissal be vacated instanter, Plaintiff's cause of action be reinstated, and that judgment enter in favor of Plaintiff and against the Defendant in the amount of \$47,681.66, as and for the outstanding balance of delinquencies calculated pursuant to the Settlement Agreement, which amount does not include any current delinquencies which may be due.

That Plaintiff also prays that judgment enter for Plaintiff's attorneys' fees and costs incurred as a result of the Defendant's non-compliance with the provisions of the parties' Stipulation to Dismiss.

/s/ Robert B. Greenberg
Asher, Gittler, Greenfield & D'Alba, Ltd.
200 West Jackson Boulevard, Suite 1900
Chicago, Illinois 60606
(312) 263-1500
Fax: (312) 263-1520
rbg@ulaw.com
IL ARDC#: 01047558

Dated: March 4, 2009