

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**TEAMSTERS LOCAL UNION NO. 727
HEALTH AND WELFARE FUND,
and TEAMSTERS LOCAL UNION NO.
727 LEGAL AND EDUCATIONAL
ASSISTANCE FUND,**

Plaintiffs,

v.

**THE TANNER GROUP, INC., an Illinois
Corporation,**

Defendant.

No. 08 C 451

Judge Coar

Mag. Judge Cox

SETTLEMENT AGREEMENT

IT IS HEREBY STIPULATED AND AGREED by and between the Plaintiffs and Defendant, through their respective counsel, as follows:

1. That in the interest of settling the legal action filed by Plaintiffs against the Defendant, The Tanner Group, Inc., an Illinois Corporation, and without any admission herein of liability of the Defendant the parties have agreed to settlement of the pending action.
2. That Defendant hereby agrees to pay to the Plaintiffs the amount of \$62,500.00, which shall be paid \$3,667.82 on March 15, 2008, and \$3,667.82 on the 15th of the month thereafter, through and including September 15, 2008.
3. This release releases the delinquencies claimed due and owing through December 31, 2006, the end date of the audit conducted on April 18 and July 11, 2007.
4. That the Court shall retain jurisdiction for the purpose of enforcement of the terms and provisions of the parties' Settlement Agreement.
5. (a) The above-entitled cause be and the same shall be dismissed without prejudice, subject to reinstatement only as set forth below and Plaintiffs and anyone claiming through them agree not to sue and further agree to release and forever discharge Defendant and each of its past, present and future owners, directors, officers, agents, employees and the predecessors, successors and assigns of each of them, from any and all claims that were asserted in the above entitled lawsuit.
- (b) If Defendant fails to make any installment payment due hereunder, or any current contributions for work now being performed, the Defendant shall be considered in default.

Exh. "B"

- (c) Upon ten (10) days' written notice to Defendant of said default, and upon Defendant's failure to cure said default within the 10 day period, the Order of Dismissal entered in this cause shall be vacated and set aside and the above-captioned cause reinstated.
- (d) Upon Order of Dismissal having been vacated and set aside and upon this cause being reinstated, judgment shall be immediately entered in the amount remaining due and owing, and any additional amounts for current payments which accrue hereinafter.

IN WITNESS WHEREOF, the parties or their duly authorized agents, have duly executed this Settlement Agreement as of the day and year provided below.

x *Ant Lopez*, PRESIDENT Dated: 3/4/08
For Defendant

Robert B. Greenberg Dated: 3-4-2008
For Plaintiffs

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