

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

TERRENCE J. HANCOCK, WILLIAM LOGAN, JOHN)
LISNER, DALE BOLT, BRAD WEBB, JOHN BUIK,)
MICHAEL I. RICHARDSON, and EDWARD)
DENORMANDIE as Trustees of LOCAL No. 731,)
INTERNATIONAL BROTHERHOOD OF TEAMSTERS,)
GARAGE ATTENDANTS, LINEN AND LAUNDRY) Case No. 08 C 3235
HEALTH AND WELFARE FUND,)
)
and) Judge Kendall
)
TERRENCE J. HANCOCK, WILLIAM LOGAN, JOHN)
LISNER, STEVE VOGRIN, THOMAS YONKER, and) Magistrate Judge Ashman
MICHAEL I. RICHARDSON as Trustees of LOCAL)
No. 731, INTERNATIONAL BROTHERHOOD OF)
TEAMSTERS, PRIVATE SCAVENGERS AND GARAGE)
ATTENDANTS PENSION FUND,)
)
Plaintiffs,)
)
v.)
)
MONTELL CHEVROLET, INC.,)
)
Defendant.)

AGREED JUDGMENT ORDER

This matter came before the Court on a Motion for Entry of an Agreed Judgment Order. Plaintiffs and Defendant have reviewed and, in the interest of avoiding additional litigation of this matter, agreed to the terms stated below. The Court has examined the submissions, is fully informed, and it appears good cause exists for granting the agreed motion.

Therefore, IT IS ORDERED as follows:

1. Judgment is entered against Defendant Montell Chevrolet, Inc., in the total amount of \$25,356.25, for:

	Health and Welfare	Pension
Contributions (3/08-8/08)	\$16,848.70	\$2,854.00
Liquidated Damages (3/08-8/08) (20%)	\$ 3,369.74	\$ 570.80
Liquidated Damages (12/07-1/08) (20%)	\$ 1,165.32	\$ 194.40
Interest (12/07-1/08, 3/08-7/08)	\$ 528.66	\$ 88.19
Attorneys' Fees	<u>\$ 2,518.35</u>	<u>\$2,518.35</u>
Subtotal	<u>\$24,430.77</u>	<u>\$6,225.74</u>
Less Suspended Amount	<u>(\$ 4,535.06)</u>	<u>(\$ 765.20)</u>
Agreed Judgment Amounts	\$19,895.71	\$5,460.54

2. Plaintiffs and Defendant agree that the judgment amount in this Order is based solely on the employees and hours reported to Plaintiffs by Defendant for the delinquent period December 2007 through August 2008, and that Plaintiffs may audit any unaudited period and collect any additional amounts that are determined to be due based on employees and hours Defendant did not reports to Plaintiffs.

3. Plaintiffs and Defendant agree that, other than serving a citation to discover assets on Defendant, Plaintiffs will not pursue supplemental proceedings to enforce the judgment prior to December 3, 2008. If Plaintiffs serve a citation to discover assets on Defendant, the citation will not have a return date earlier than December 3, 2008, and Defendant will not have to produce any documents or appear for an examination in response to the citation prior to December 3, 2008.

4. Plaintiffs and Defendant further agree that if Defendant becomes delinquent in its remittance of monthly reports and contributions to Plaintiffs prior to the work month October 2009, the suspended amounts listed in ¶ 1 of this Order may be reinstated and pursued by

Plaintiffs.

s/Steven W. Jados
Steven W. Jados
Attorney for Plaintiffs

Dated: October 8, 2008

s/Justyna A. Ziolo
Justyna A. Ziolo
Attorney for Defendant

Dated: October 8, 2008

SO ORDERED:

Virginia Kendall, J.

Dated: _____