

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

TERRENCE J. HANCOCK, <i>et al.</i> ,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
vs.)	NO. 08 C 4563
)	
ROY'S PAVING & SEALCOATING)	JUDGE ROBERT W. GETTLEMAN
COMPANY, an Illinois corporation,)	
)	
Defendant.)	

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on June 16, 1998, request this Court enter judgment against Defendant, ROY'S PAVING & SEALCOATING COMPANY, an Illinois corporation. In support of that Motion, Plaintiffs state:

1. On October 23, 2008, this Court entered default against Defendant and granted Plaintiffs' request for an order directing Defendant to turn over its monthly fringe benefit contribution reports for August 2008 forward. The Court retained jurisdiction of the parties for the purpose of enforcing the October 23, 2008 Order and entering judgment against Defendant.

2. Defendant submitted its June and July 2008 reports on August 15, 2008, its August and September 2008 reports on November 3, 2008, and its October through December 2008 reports on January 16, 2009. Defendant paid all contributions due pursuant to these reports, but said contributions were untimely submitted. (See Affidavit of Terrence J. Hancock)

3. The Trustees have assessed twenty (20%) percent liquidated damages, provided for in the Trust Agreements governing the administration of the Funds, on contribution reports untimely

submitted by the Defendant for the months of June 2008 through December 2008. Accordingly, the amount of \$4,454.40 is due for liquidated damages. (Hancock Aff. Par. 11).

4. In addition, Plaintiffs' firm has expended the total amount of \$435.00 for costs and \$1,417.50 in attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

5. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$6,306.90.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$6,306.90.

/s/ Beverly P. Alfon

Beverly P. Alfon
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6274459
Telephone: (312) 236-4316
Facsimile: (312) 236-0241
E-Mail: balfon@baumsigman.com

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CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 22nd day of April 2009:

Ms. Marsha A. Bond, Registered Agent/Secretary
Roy's Paving & Sealcoating Company
14814 S. Robey Avenue
Harvey, IL 60426

/s/ Beverly P. Alfon _____

Beverly P. Alfon
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6274459
Telephone: (312) 236-4316
Facsimile: (312) 236-0241
E-Mail: balfon@baumsigman.com