

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

TRUSTEES OF THE SUBURBAN TEAMSTERS)	
OF NORTHERN ILLINOIS WELFARE AND)	
PENSION FUNDS,)	
)	
Plaintiffs,)	
)	No. 08 C 4952
v.)	
)	Judge Zagel
CARTAGE TRANSPORT, INC.,)	
an Illinois corporation)	Magistrate Judge Schenkier
)	
Defendant.)	

MOTION FOR JUDGMENT IN SUM CERTAIN

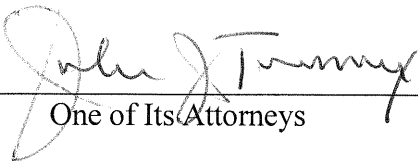
NOW COMES the Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to FRCP 55 move for entry of a default judgment in sum certain as stated in this Complaint and the supporting Affidavits attached hereto. In support of its Motion, Plaintiffs state as follows:

1. Suit was filed on August 29, 2008 for collection of delinquent contributions, attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2).
2. Corporate service upon the Defendant, CARTAGE TRANSPORT, INC., an Illinois corporation, through the Illinois Secretary of State, on September 26 2008 and a copy of the proof of service was filed with the court on September 26, 2008.
3. Defendant is now in default as to the Complaint and as supported by the attached Affidavits the sums due are:

\$16,034.20	Welfare
\$10,284.35	Pension
\$925.00	Attorneys fees
<u>\$425.00</u>	Court costs
\$27,668.55	

WHEREFORE, Plaintiff prays for the entry of judgment against Defendant,
CARTAGE TRANSPORT, INC., an Illinois corporation, and in favor of Plaintiffs,
TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS
WELFARE AND PENSION FUNDS in the amount of \$27,668.55.

TRUSTEES OF THE SUBURBAN TEAMSTERS
OF NORTHERN ILLINOIS WELFARE AND
PENSION FUNDS

By: 
One of Its Attorneys

JOHN J. TOOMEY
ARNOLD AND KADJAN
19 W. Jackson Boulevard
Chicago, Illinois 60604
(312) 236-0415

Service of Process:

1:08-cv-04952 Trustees of the Suburban Teamsters of Northern Illinois Welfare and Pension Funds v. Cartage Transport, Inc.

SCHENKIER

United States District Court

Northern District of Illinois - CM/ECF LIVE, Ver 3.2.2

Notice of Electronic Filing

The following transaction was entered by Toomey, John on 9/26/2008 at 2:18 PM CDT and filed on 9/26/2008

Case Name: Trustees of the Suburban Teamsters of Northern Illinois Welfare and Pension Funds v. Cartage Transport, Inc.

Case Number: 1:08-cv-4952

Filer: Trustees of the Suburban Teamsters of Northern Illinois Welfare and Pension Funds

Document Number: 7

Docket Text:

SUMMONS Returned Executed by Trustees of the Suburban Teamsters of Northern Illinois Welfare and Pension Funds as to Cartage Transport, Inc. on 9/24/2008, answer due 10/14/2008. (Toomey, John)

1:08-cv-4952 Notice has been electronically mailed to:

John Joseph Toomey jtoomey100@hotmail.com

1:08-cv-4952 Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1040059490 [Date=9/26/2008] [FileNumber=5271919-0] [2b595ae68a4878452f8300ebb2010bd148f4d0d4f9e3d1cc3cba4be64793df9b41b2814a47da038ffe89d9bae8ac177eefa85a6ed802687f200da6b87bbf097b]]

Form **BCA-5.25**
(Rev. Jan. 2003)

**AFFIDAVIT OF COMPLIANCE
FOR SERVICE ON
SECRETARY OF STATE**

File # 59167812

Jesse White
Secretary of State
Department of Business Services
Springfield, IL 62756
Telephone (217) 524-6748
www.cyberdriveillinois.com

FILED

SEP 24 2008

**JESSE WHITE
SECRETARY OF STATE**

SUBMIT IN DUPLICATE

This space for use by
Secretary of State

Date 9/24/08

Filing Fee \$10.00

Approved: L.V.

Remit payment in check or money
order, payable to "Secretary of State."

1. Title of the case and number of the case:

Trustees of the Suburban Teamsters of Northern
Illinois Welfare and Pension Funds

first named plaintiff

v.

Cartage Transport, Inc., an Illinois
corporation

first named defendant

Number 08 C 4952

2. Name of the corporation being served: Cartage Transport, Inc., an Illinois corporation

3. Title of the court in which an action, suit or proceeding has been commenced: United States District Court

4. Title of the instrument being served: Complaint and Alias Summons of Illinois

5. Basis for service on the Secretary of State (Check and complete appropriate box):

- a. The corporation's registered agent cannot with reasonable diligence be found at the registered office of record in Illinois.
- b. The corporation has failed to appoint and maintain a registered agent in Illinois.
- c. The corporation was dissolved on _____, _____; the conditions of paragraphs (a) or (b) above exist; and the action, suit or proceeding has been instituted against or has affected the corporation within 5 years thereafter.
- d. The corporation's certificate of authority to transact business in Illinois has been (withdrawn)/ (revoked) on _____, _____.
- e. The corporation is a foreign corporation that has transacted business in Illinois without procuring a certificate of authority, contrary to the provisions of the Business Corporation Act of 1983.

6. Address to which the undersigned has caused a copy of the attached process, notice or demand to be sent, by certified or registered mail: 442 6th Avenue, Addison, Illinois 60101

7. The undersigned affirms, under penalties of perjury, that the facts stated herein are true.

John J. Toomey September 22, 2008
Signature of Affiant *Month & Day* *Year*

(312) 236-0415
Telephone Number

RETURN TO: PLEASE TYPE OR PRINT CLEARLY

John J. Toomey, Arnold and Kadjan
Name

19 W. Jackson Boulevard, Suite 300
Street

Chicago, IL 60604
City/Town *State* *ZIP*

**TENDERED CHICAGO
CORP. DEPARTMENT**

SEP 23 2008

ACCEPTANCE AND "FILED" DATE
ESTABLISHED ONLY AFTER
REVIEW

