

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

FOX VALLEY CONSTRUCTION)	
WORKERS FRINGE BENEFIT FUNDS,)	
<i>et al.</i> ,)	
)	CIVIL ACTION
Plaintiffs,)	
)	NO. 08 C 5044
vs.)	
)	JUDGE AMY J. ST. EVE
C.J.P. MASONRY, INC., an Illinois)	
corporation,)	
)	
Defendant.)	

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on December 15, 2008, request this Court enter judgment against Defendant, C.J.P. MASONRY, INC., an Illinois corporation. In support of that Motion, Plaintiffs state:

1. On December 15, 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 July 2008 forward. The Court retained jurisdiction to enforce the Order and set a prove-up hearing for January 12, 2009.

2. In January 2009, Plaintiff Funds received Defendant’s July 2008 contribution report. Despite the fact that the Defendant paid the contributions due for July 2008, its check was returned twice indicating “NSF.” In addition, Defendant miscalculated the hours and contributions due for that contribution month.

3. Finally, Defendant owes contributions for May 2008. The contribution reports submitted by Defendant for May 2008 and July 2008 show that the Defendant is delinquent in contributions to the Funds in the amount of \$12,255.70. (See Affidavit of Deborah L. French).

4. Additionally, the amount of \$1,225.57 is due for liquidated damages. (French Aff. Par. 4(b)). After application of a partial payment in the amount of \$7,384.52, Defendant still owes \$6,096.75 for May 2008 and July 2008 (French Aff. Par. 4(b)).

5. In addition, Plaintiffs' firm has expended \$350.00 for costs and \$2,162.50 for attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

6. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$8,609.25.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$8,609.25.

/s/ Cecilia M. Scanlon

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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 participants on or before the hour of 5:00 p.m. this 6th day of April 2009:

National Registered Agents, Inc.,
n/k/a Premier Corporate Services, Inc., Registered Agent
C.J.P. Masonry, Inc.
200 W. Adams Street, Suite 2007
Chicago, IL 60606

Mr. Charles R. Peterson
C.J.P. Masonry, Inc.
703 Glenda Court
Sandwich, IL 60548-9148

/s/ Cecilia M. Scanlon

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