

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

LABORERS' PENSION FUND, et al.,)
)
Plaintiffs,)
v.)
PARCO ASBESTOS REMOVAL CO., INC.,)
PAR CO., INC., OF ILLINOIS, INC., a)
dissolved Illinois corporation, and)
A & E Services, Inc., an Illinois corporation,)
and ROBERT NYKAZA, JR., individually,)
)
Defendants.)

Case No. 08 C 5232

Judge CONLON

JUDGMENT ORDER

This matter having come to be heard on the Motion of Plaintiffs Laborers' Pension Fund, Laborers' Welfare Fund of the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity, and James S. Jorgensen (collectively "Plaintiffs" or the "Funds") pursuant to Rule 54(b) of the Federal Rules of Civil Procedure for an Entry of Default Judgment on Counts III of the Funds' Complaint against Defendants Parco Asbestos Removal Co., Inc., ("Parco Asbestos"), Par Co., Inc., of Illinois, ("Par Co"), A & E Services, Inc., ("A & E Services," and these entities will be collectively referred to as the "Companies") due notice having been given, and the Court being fully advised in the premises,

IT IS HEREBY ORDERED THAT:

1. Default judgment in sum certain is hereby entered in favor of the Plaintiffs and against the Defendants in the amount of \$72,960.71 on Count III of the Funds' Complaint pursuant to Fed. R. Civ. P. 54(b) as follows:

(1.) \$70,542.71 entered against the Companies pursuant to the defaulted Note;

(2.) Defendant Nykaza is joint and severally liable for \$45,501.74 of the amounts owed on the Note pursuant to the Guaranty; and

(3.) \$2,418.00 in attorneys' fees and costs entered against both the Companies and Nykaza pursuant to the terms of the Note and Guaranty.

2. Judgment is entered pursuant to Fed. R. Civ. P. 54(b) as there is no just cause for delay in the entry of judgment in favor of the Funds on Count III.

3. Defendant Parco Asbestos is in default as to Counts I and II and is ordered to submit its books and records to an audit for the period of September 1, 2005 forward. IT IS FURTHER ORDERED that a prove up date for Counts I and II is set for 60 days from the date entered below.

ENTER:

The Honorable Suzanne B. Conlon
United States District Court Judge

Dated: _____