

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

SHEET METAL WORKERS LOCAL 265	)	
WELFARE FUND, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	CIVIL ACTION
	)	
vs.	)	NO. 08 C 5977
	)	
J AND R INSTALLATIONS, INC., a dissolved	)	JUDGE WILLIAM J. HIBBLER
Illinois corporation, and RACHEL L. BOLES,	)	
an individual,	)	
	)	
Defendants.	)	

**MOTION FOR ENTRY OF JUDGMENT**

Plaintiffs, by and through their attorneys, default having been entered against the Defendants on March 24, 2009, request this Court enter judgment against Defendants, J AND R INSTALLATIONS, INC., and RACHEL L. BOLES. In support of that Motion, Plaintiffs state:

1. On March 24, 2009, this Court entered default against Defendants and granted Plaintiffs’ request for an order directing an audit of Defendant, J and R Installations, Inc.s’ payroll books and records. The Court also entered an order that judgment would be entered after the completion of the audit.

2. After contempt proceedings and continuing efforts to obtain all documents necessary to complete the audit, Plaintiffs’ auditors issued a report on March 19, 2010. Thereafter, Defendant submitted its disputes with the audit findings to the Trustees.

3. On or about May 28, 2010, Plaintiffs’ auditors revised the audit report to reflect accepted disputes. The revised audit findings show Defendants are delinquent in contributions to the Funds in the amount of \$30,685.04 (See Affidavit of Scott P. Wille).

4. Additionally, the amount of \$3,068.50 is due for liquidated damages. (Wille Aff. Par. 5). Plaintiffs' auditing firm of Levinson Simon & Sprung, P.C. charged Plaintiffs \$1,440.75 to perform the audit examination and complete the initial report and the revised report (Wille Aff. Par. 6).

5. Defendants have submitted monthly contribution reports to the Plaintiffs identifying employees who performed work covered by the collective bargaining agreement, and the number of hours worked by or paid to those employees for the months of June 2008 through August 2008, February 2009, June 2009 and April 2010. Pursuant to said monthly contribution reports, Defendants owe \$25,136.24 in contributions and \$2,513.63 in liquidated damages, for a total of \$27,649.87.

6. Levinson Simon & Sprung, P.C. has charged the Trustees the sum of \$1,440.75 for auditing fees.

7. In addition, Plaintiffs' firm has expended \$1,110.00 in costs and \$9,678.75 in attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

8. Based upon the documents attached hereto, Plaintiffs request entry of judgment against Defendants, J AND R INSTALLATIONS, INC., and RACHEL L. BOLES, in the total amount of \$73,632.91.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment against Defendants, J AND R INSTALLATIONS, INC., and RACHEL L. BOLES, in the amount of \$73,632.91.

/s/ Beverly P. Alfon

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**CERTIFICATE OF SERVICE**

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion) 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 1st day of July 2010:

Ms. Rachel L. Boles  
J and R Installations, Inc.  
709 Gallant Drive  
Minooka, IL 60447

/s/ Beverly P. Alfon

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