

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

LABORERS' PENSION FUND and)	
LABORERS' WELFARE FUND OF THE)	
HEALTH AND WELFARE DEPARTMENT)	
OF THE CONSTRUCTION AND GENERAL)	
LABORERS' DISTRICT COUNCIL OF)	
CHICAGO AND VICINITY, JAMES S.)	
JORGENSEN,)	
)	
Plaintiffs,)	
)	No. 08 C 6266
)	
v.)	Judge Hibbler
)	
GIOVENCO CONSTRUCTION, INC.,)	
)	
)	
Defendant.)	

ORDER

This cause coming before the Court on the plaintiffs' Motion for damages due notice having been given to the defendant Giovenco Construction, Inc.,

IT IS HEREBY ORDERED:

1. The Complaint is amended, instanter, to reflect amounts due as shown by an audit report prepared by Richard J. Wolf and Company for the period from April 27, 2005 through March 31, 2006.

2. Judgment is entered against Giovenco Construction, Inc., in a total amount of \$37,144.59, which consists of the following:

Principal contributions and Union dues as shown by an audit report for the period from April 27, 2005 through March 31, 2006	\$2,593.33
Liquidated damages for April 2005-March 2006	\$259.34

Principal contributions and Union dues as shown by an audit report for the period from April 2006 through November 30, 2008	\$23,099.52
Liquidated damages for the April 2006-November 2008	\$4,445.09
Past due penalties in the amount of	\$1,945.13
Interest for the unpaid principal	\$ 441.85
Audit fees (both reports)	\$1,442.83
Attorneys' fees	\$2,432.50
Costs	\$ 485.00

3. This Court orders Giovenco Construction, Inc., to obtain and maintain a surety bond in the amount required by the Union to guarantee the payment of wages, pension and welfare contributions as required by Article IX of the collective bargaining agreement. It is further ordered that within 60 days of the date of this judgment order, defendants **shall** provide written proof that it has obtained such a surety bond to plaintiffs' counsel, Karen I. Engelhardt, Esq., Allison, Slutsky & Kennedy, P.C. , 230 W. Monroe Street, Suite 2600, Chicago, IL 60606.

4. Defendants are ordered to report hours of covered employees on a monthly basis and to pay current contributions as they become due on the 10th day of each month.

ENTERED

U.S. DISTRICT COURT

DATE _____