



Federal Motor Carrier Safety Administration website safersys.org, attached hereto as Exhibit "2".

4. On February 26, 2009, MDII caused the Garnishment Summons and Affidavit for Garnishment to be served on Nationwide's registered agent in the State of Illinois, Edward D. McNamara. See Affidavit of Service from the Sangamon County, Illinois Sheriff's Office attached as Exhibit "3".

5. Pursuant to FRCP 69(a), MDII is to use state procedures to enforce judgments. As set forth in 735 ILCS § 5/12/706(a), "When any person summoned as garnishee fails to appear and answer...the court may enter a conditional judgment against garnishee for the amount due upon the judgment against the judgment debtor."

6. Nationwide failed to appear and answer MDII's garnishment summons and is thus subject to a conditional judgment as provided under Illinois law.

WHEREFORE, Mason Dixon Intermodal, Inc., respectfully requests this Honorable Court enter a conditional judgment against Nationwide Transport Services, Inc. in the amount of \$803,134.48, or grant such other and further relief as this Court deems just and reasonable.

Respectfully submitted,

Mason Dixon Intermodal, Inc.

By: /s/ Matthew P. Barrette  
One of Its Attorneys

Matthew P. Barrette  
Jamie L. McCarthy  
SULLIVAN HINCKS & CONWAY  
120 West 22<sup>nd</sup> Street, Suite 100  
Oak Brook, IL 60523  
630.573.5021