

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

JAMES M. SWEENEY, et al.,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
vs.)	NO. 08 C 6292
)	
DEWULF EXCAVATING, INC.,)	JUDGE BLANCHE M. MANNING
an Indiana corporation,)	
)	
Defendant.)	

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on May 28, 2009, request this Court enter judgment against Defendant, DEWULF EXCAVATING, INC., an Indiana corporation. In support of that Motion, Plaintiffs state:

1. On May 28, 2009, this Court entered default against Defendant and granted Plaintiffs' request for an order directing an audit of the Defendant's payroll books and records for the time period January 1, 2007 forward. The Court also entered an order that judgment would be entered after the completion of the audit.

2. Plaintiffs' auditors completed that audit on or about January 19, 2010. The audit findings show that the Defendant is delinquent in contributions to the Funds in the amount of \$6,453.04. (See Affidavit of David S. Bodley).

3. Additionally, the amount of \$814.85 is due for liquidated damages. (Bodley Aff. Par. 5). Plaintiffs' auditing firm of Graff Ballauer & Blanski, P.C. charged Plaintiffs \$2,022.10 to perform the audit examination and complete the report (Bodley Aff. Par. 6).

4. In addition, Plaintiffs' firm has expended \$410.00 for costs and \$6,696.25 in attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

5. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$16,396.24.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$16,396.24.

/s/ Jennifer L. Dunitz-Geiringer _____

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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 participant on or before the hour of 5:00 p.m. this 25th day of February 2010:

Mr. Bruce H. DeWulf, Registered Agent
DeWulf Excavating, Inc.
212 N. Charles Street
Mishawaka, IN 46544-3950

/s/ Jennifer L. Dunitz-Geiringer

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