

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

TRUSTEES OF THE SUBURBAN TEAMSTERS)	
OF NORTHERN ILLINOIS WELFARE AND)	
PENSION FUNDS,)	
)	
Plaintiffs,)	
)	No. 08 C 6671
v.)	
)	Judge Hibbler
ROTTTS TRUCKING, INC.,)	
an Illinois corporation,)	Magistrate Judge Ashman
)	
Defendant.)	

MOTION FOR JUDGMENT IN SUM CERTAIN

NOW COMES the Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to FRCP 55 move for judgment in sum certain as stated in this Complaint and the supporting Affidavits attached hereto. In support of its Motion, Plaintiffs state as follows:

1. Suit was filed on November 20, 2008 to obtain an audit for collection of delinquent contributions plus attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2). An audit for the period October, 2007 through August, 2009 took place on October 5, 2009.

2. Service upon ROTTS TRUCKING, INC., an Illinois corporation was made on the Defendant on December 18, 2008, and a copy of the proof of service was filed with the court on December 19, 2008.

3. Defendant is now in default as to the Complaint and as supported by the attached Affidavits the sums due are:

\$5,646.22	Pension
\$8,790.60	Welfare
\$925.00	Attorneys fees
<u>\$590.00</u>	Court costs
\$15,951.82	

WHEREFORE, Plaintiff prays for:

1. Entry of judgment against Defendant, ROTTS TRUCKING, INC., an Illinois corporation, and in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS in the amount of \$15,951.82.

TRUSTEES OF THE SUBURBAN TEAMSTERS
OF NORTHERN ILLINOIS WELFARE AND
PENSION FUNDS

s/John J. Toomey
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Dated: November 17, 2009