

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

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| ASTA, LLC, a Michigan LLC, |) | |
| |) | |
| Plaintiff, |) | 09 C |
| v. |) | |
| |) | |
| TELEZYGOLOGY, INC., a Delaware Company |) | Magistrate Judge Cole |
| |) | |
| |) | |
| Defendant. |) | |

MOTION FOR ENTRY OF JUDGMENT

The Plaintiff, ASTA, LLC, by and through its attorney, Stephen A. Gorman, pursuant to Fed. R. Civ. Proc. 58, respectfully moves for entry of Judgment in its favor and against the Defendant, Telezygology, Inc., in the amount of \$131,500.00, plus prejudgment interest from October 1, 2008 and its costs, and in support of its Motion, states as follows:

1. On June 25, 2009, this court entered its Memorandum Opinion and Order granting the Plaintiff's Motion for Judgment on the Pleadings. The Memorandum Opinion and Order disposed of all claims asserted in this action.

2. In its Complaint, the Plaintiff seeks damages of \$131,500.00 based upon the terms of the written contract between the Parties, together with prejudgment interest and costs. The court, in granting the Motion for Judgment on the Pleadings, determined that the Defendant Telezygology, Inc. ("TZ") breached the contract between the parties when it failed to pay ASTA, LLC the contractually agreed upon amount due upon the occasion (in September 2008) of TZ's hiring as its own two ASTA employees.

3. This is a diversity action and is governed my Illinois law. The amount owed to ASTA is

based upon a written instrument and is clearly ascertainable and, as such, Plaintiff is entitled to prejudgment interest at the statutory rate of 5% per annum under 815 ILCS 205/2.

WHEREFORE, the Plaintiff, ASTA, LLC, prays for entry of a separate Order as required under Fed. Rule Civ. Proc. 58(a) for judgment in its favor and against the Defendant Telezygology, Inc. in the amount of \$131,500.00, plus prejudgment interest thereon at the rate of 5% per annum from October 1, 2008 to and including June 25, 2009, and awarding ASTA, LLC its costs.

Respectfully submitted,

ASTA, INC.

By: /s/Stephen A. Gorman
Stephen A. Gorman
Its Attorney

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