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. 09 C 201
V.)
) Judge Der-Yeghiayan
BEST ENVIRONMENTAL, INC.,)
an Illinois corporation) Magistrate Judge Keys
)
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 entry of a default 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 January 13, 2009 for collection of delinquent contributions, attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2) and to compel an audit of the books and records for the period January 1, 2008 to the present.
- 2. Service upon BEST ENVIRONMENTAL, INC., an Illinois corporation was made on the Defendant on January 16, 2009, and a copy of the proof of service was filed with the court on January 19, 2009.
- 3. Defendant is now in default as to the Complaint and as supported by the attached Affidavits the sums due are:

\$17,852.78 Welfare \$4,348.88 Pension \$925.00 Attorneys fees \$753.00 Court costs \$23,879.66

WHEREFORE, Plaintiff prays for:

- 1. Entry of judgment against Defendant, BEST ENVIRONMENTAL, 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 \$23,879.66.
- 2. Grant Plaintiffs any other relief deemed equitable and just under the circumstances.

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

s/John J. Toomey ARNOLD AND KADJAN 19 W. Jackson Blvd., Suite 300 Chicago, IL 60604 Telephone No.: (312) 236-0415

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Dated: May 29, 2009