

**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 3278
v.	)	
	)	Judge Bucklo
MKM ENGINEERS, INC., a foreign corporation	)	
licensed to do business in Illinois	)	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 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 June 1, 2009 for collection of delinquent contributions plus attorneys’ fees, costs and interest under 29 U.S.C. 1132(g)(2).
2. Service upon MKM ENGINEERS, INC., a foreign corporation licensed to do business in Illinois was made on the Defendant on June 1, 2009, and a copy of the proof of service was filed with the court on June 2, 2009.
3. On June 19, 2009 counsel for MKM contacted Plaintiffs’ attorney and requested an extension of time to July 6, 2009 to answer or otherwise plead (see attached confirming letter)
4. On July 7, 2009 Plaintiff’s attorney contacted MKM’s counsel to ascertain whether or not he would be filing an appearance and responsive pleading and he advised they would be forthcoming. MKM’s attorney was again reminded of the July 22, 2009 status hearing previously noted in the June 19, 2009 letter attached.

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

\$11,887.90 Welfare  
\$8,102.37 Pension  
\$925.00 Attorneys fees  
\$20,915.27

WHEREFORE, Plaintiff prays for:

1. Entry of judgment against Defendant, MKM ENGINEERS, INC., a foreign corporation licensed to do business in Illinois, and in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS in the amount of \$20,915.27.

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: July 14, 2009

HUGH B. ARNOLD  
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PLEASE REFER TO  
OUR FILE NUMBER

DANIEL N. KADJAN  
RETIRED 1993

June 19, 2009

By Facsimile (214) 200-0393  
and Regular Mail  
Arthur T. Carter, Esq.  
Haynes and Boone, LLP  
2323 Victory Avenue  
Suite 700  
Dallas, Texas 75219-7673

Re: Suburban Teamsters v. MKM Engineers, Inc.  
Case No.: 09 C 3278

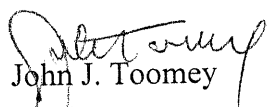
Dear Sir:

This will confirm our telephone conference of this date wherein you sought an extension of time to answer or otherwise plead in the above matter until July 6, 2009.

I am enclosing a copy of Judge Bucklo's Minute Order of June 4, 2009 setting this case for a status hearing on July 22, 2009 at 9:30 a.m.

Yours truly,

ARNOLD AND KADJAN

By:   
John J. Toomey

JJT:cc  
Enclosure