## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

SUZANNE K. RAJCHEL, and FERDINAND H. RAJCHEL, JR.,	)	
Plaintiffs,	)	Case No. 1:09-cv-03419
v.	) )	Judge Frederick J. Kapala
KEITH NYGREN, SHERIFF OF MCHENRY COUNTY, ILLINOIS, in his Official Capacity, DEANNA MERRELL, personally, etc., et al.,	) ) )	Magistrate Judge P. Michael Mahoney
Defendants.	)	

## MOTION FOR ENTRY OF JUDGMENT

Now the plaintiffs by counsel and move this Honorable Court for entry of final judgment. Plaintiffs sued defendants for both federal and state claims.

- 1. On August 5, 2011, the Court entered an order granted Defendants' motions to dismiss on Counts I and III of the Second Amended Complaint with prejudice.
- 2. The same order granted Defendants' motions to dismiss Count II "without prejudice to refiling within 30 days. . ." And the remaining Counts IV and V were also dismissed without prejudice to possibly refiled in state court.
- 3. The order also denied Plaintiffs' motion for leave to file a Third Amended Complaint.
- 4. Plaintiffs request that the judgment be set out promptly in a separate document as required by Federal Rule of Civil Procedure 58 (a).
- 5. Here, Plaintiffs inform the Court that they do not intend to file another

amended complaint or an amended Count II.

6. No further action other than to enter judgment remains for the Court.

WHEREFORE, Plaintiffs respectfully move the Court to enter judgment pursuant to Rule 58(a) in a separate document.

Respectfully submitted,

By: /s/ John Thomas Moran, Jr. Attorney for Plaintiffs

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## **CERTIFICATE OF SERVICE**

The undersigned, an attorney, certifies that on September 6, 2011, he served a copy of the foregoing MOTION FOR ENTRY OF JUDGMENT by means of electronic filing in accordance with Fed.R.Civ.P. 5, Local Rule 5.5 and the General Order on Electronic Case Filing (ECF) XI (C), thereby causing a copy of the foregoing to be served upon all counsel of record.

By: /s/ John Thomas Moran, Jr. Attorney for Plaintiffs.

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