

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

CENTRAL STATES, SOUTHEAST AND
SOUTHWEST AREAS PENSION FUND;
and HOWARD McDOUGALL, Trustee;

and

CENTRAL STATES, SOUTHEAST AND
SOUTHWEST AREAS HEALTH AND
WELFARE FUND; and HOWARD
McDOUGALL, Trustee;

Plaintiffs,

v.

VANGUARD SERVICES, INC., an Indiana
corporation; DRIVER'S, INC., an Ohio
corporation; VANGUARD SOUTHEAST,
INC., a South Carolina corporation; VMT
VANGUARD COMPANIES, INC., an
Indiana corporation; VANGUARD
SERVICES (CANADA), INC., a Canadian
corporation; VANGUARD OF DELAWARE,
INC., a Delaware corporation; CROSSSTONE,
LLC, an Indiana limited liability company;
PINERIDGE INSURANCE COMPANY, INC.,
a Barbados corporation; V.O. FREIGHT
SERVICES, INC, a Delaware corporation;

Defendants.

Case No. 09 C 4721

Judge George W. Lindberg

Magistrate Judge Morton Denlow

AGREED MOTION FOR ENTRY OF CONSENT JUDGMENT

Plaintiffs, Central States, Southeast and Southwest Areas Pension Fund, and
Howard McDougall, one of its present trustees, and Plaintiffs Central States, Southeast and
Southwest Areas Health and Welfare Fund, and Howard McDougall, one of its present

trustees, hereby move this Court for entry of a consent judgment in favor of Plaintiffs and against Defendants on the terms as attached hereto as Exhibit A. In support of the Motion, Plaintiffs state as follows:

1. Plaintiffs filed this action on August 4, 2009, for collection of contributions and withdrawal liability under the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), 29 U.S.C. §1001 *et seq.* This Court has jurisdiction over this action under sections 502(e), 502(f), and 4301(c) of ERISA, 29 U.S.C. §§ 1132(e), 1132(f) and 1451(c).

2. Plaintiffs and Defendants have agreed to the entry of a consent judgment on the terms attached hereto as Exhibit A.

3. Defendants, by and through their counsel, Jon E. Klinghoffer, have agreed to the granting of this Motion.

WHEREFORE, Plaintiffs request that the Court grant this Motion and enter the Consent Judgment attached hereto as Exhibit A.

Respectfully submitted,

/s/ John J. Franczyk, Jr.

John J. Franczyk, Jr. (ARDC #06224947)  
Attorney for Plaintiffs

CENTRAL STATES FUNDS  
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August 6, 2009

## CERTIFICATE OF SERVICE

I, John J. Franczyk, Jr., one of the attorneys for Plaintiffs, certify that on the 6<sup>th</sup> day of August, 2009, I caused the foregoing Agreed Motion for Entry of Consent Judgment to be filed electronically. This filing was served on all parties indicated on the electronic filing receipt via the Court's electronic filing system.

*/s/ John J. Franczyk, Jr.*

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John J. Franczyk, Jr.

One of Plaintiffs' Attorneys