

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
Eastern Division

J&J SPORTS PRODUCTIONS, INC.,)
Plaintiff,)
v.)
ARGELIA HERNANDEZ indv., and d/b/a)
HERNANDEZ LOMELI, INC. d/b/a LOS)
COMPADRES, and HERNANEZ LOMELI,)
INC d/b/a LOS COMPADRES,)
Defendants.)

Case No.: 09-6190

Judge Milton Shadur

MOTION TO ENTER JUDGMENT PURSUANT TO SETTLEMENT

NOW COMES the Plaintiff, J&J SPORTS PRODUCTIONS, INC., by its attorneys, ZANE D. SMITH & ASSOCIATES, LTD., and respectfully requests that this Honorable Court enter Judgment Pursuant to the Terms of the Settlement and in support thereof, states as follows:

1. That on October 5, 2009, the Complaint in this matter was filed with the United States District Court, Northern District of Illinois.
2. That on November 2, 2009, both Defendants were served with both Summons and Complaint pertaining to this matter.
3. That on December 7, 2009, after good faith negotiations, Plaintiff entered into a Settlement Agreement with Defendant.
4. That Defendant ultimately failed to execute the agreed Settlement Agreement and failed to issue payment to Plaintiff pursuant to the Settlement Agreement.
5. That on February 22, 2010, both parties entered into a modified agreement wherein which the terms of the Settlement were specifically stated.
6. That on February 22, 2010, Plaintiff's counsel, once again, submitted both the Settlement Agreement and General Release pertaining to this matter to Defendant via e-mail after contacting Defendant and modifying the Settlement Agreement. See attached Exhibit A.
7. Pursuant to the terms of the modified Settlement Agreement, Defendant was to pay a total sum of \$8,000.00 with an initial payment of \$2,500.00 to be received by counsel for Plaintiff on or before February 24, 2010; \$1,000.00 to be received by counsel for Plaintiff on or

before March 31, 2010; and the final payment of \$4,500.00 to be received by counsel for Plaintiff on or before April 30, 2010. See attached Exhibit B.

8. Despite many requests to Defendant for payment, both through telephone messages and e-mails, no payments have been received by Plaintiff. See attached Exhibit C.

9. Pursuant to the terms of the Settlement Agreement, in the event of default on the part of the Defendant all sums not paid shall come immediately due and owing in full and Defendants agree to pay a penalty of \$3,000.00 in the event of a default as well as attorney's fees and costs incurred in the enforcement of the terms of the Settlement Agreement. See attached Exhibit D.

10. Plaintiff requests judgment be entered against Argelia Hernandez in the amount of \$11,000.00 plus fees and costs in the amount of \$839.00 incurred with the enforcement of the Settlement Agreement.

WHEREFORE, Plaintiff, J&J SPORTS PRODUCTIONS, INC., prays this Honorable Court enter judgment against Argelia Hernandez in the amount of \$11,839.00, and for any additional relief for Plaintiff this Honorable Court deems just.

//s/ Andre Ordeanu

Andre Ordeanu

ZANE D. SMITH & ASSOCIATES, LTD.
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Chicago, IL 60654
(312) 245-0031
(312) 245-0022 - Fax

CERTIFICATE OF SERVICE

I, Andre Ordeanu, on oath state that a true and correct copy of the Notice of Filing was electronically filed with the Clerk of the Court on April 1, 2010, using the CM/ECF system which will send notification of such filing(s) to all attorneys of record. Under the penalties of perjury, I certify that the above statements set forth herein are true and correct.

//s/ Andre Ordeanu

Andre Ordeanu