

10-15-10JWL147997-4

65100-1152LIT-4786

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

O'NEILL PLUMBING CO., LTD.,)	
)	
Plaintiff,)	
)	
v.)	No. 10 C 616
)	
PLUMBERS' PENSION FUND, LOCAL UNION 130,)	Judge Amy J. St. Eve
U.A., et al.,)	
)	Magistrate Judge
Defendants.)	Michael T. Mason

AGREED MOTION FOR ENTRY OF AGREED JUDGMENT

Defendants, Plumbers' Pension Fund, Local 130, U.A., et al. (collectively, "Funds"), by their attorneys, John W. Loseman, Douglas A. Lindsay, and Brian T. Bedinghaus, with LEWIS, OVERBECK & FURMAN, LLP, of counsel, move the Court to enter an Agreed Judgment concluding this matter. In support hereof, Funds state:

1. Plaintiff, O'Neill Plumbing Co., Ltd. ("OPC"), brought this action to vacate a labor arbitration Decision and Award ("Award") issued in favor of Funds and against Mr. Frank J. O'Neill d/b/a O'Neill Plumbing Company. *Complaint, Doc. No. 1, Exh. 1.*

2. The parties have agreed to resolve and settle this matter, contingent on the entry of final Agreed Judgment in a Civil Case in the form attached as Exhibit A, confirming the Award and entering judgment in favor of Funds and against OPC and Mr. Frank J. O'Neill d/b/a O'Neill Plumbing Company.

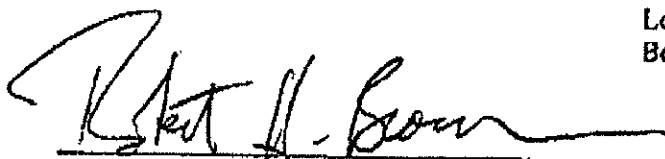
3. Mr. Frank J. O'Neill, after consulting or having had the opportunity to consult with legal counsel of his choice, has agreed to entry of the attached Agreed Judgment in a Civil Case and consents and submits to the jurisdiction of the Court for all purposes in connection therewith.

- 4. OPC and Mr. O'Neill join in this Motion for entry of Agreed Judgment.
- 5. Entry of the attached Agreed Judgment will conclude these proceedings.

WHEREFORE, Defendants, Plumbers' Pension Fund, Local 130, U.A., et al.; Plaintiff, O'Neill Plumbing Co., Ltd.; and Mr. Frank J. O'Neill, request that the Court enter the Agreed Judgment in a Civil Case in the form attached as Exhibit A.

Plaintiff, O'Neill Plumbing Co., Ltd.,
by its attorney, Robert H. Brown

Defendants, Plumbers' Pension Fund, Local
130, U.A., et al., by their attorneys, John W.
Loseman, Douglas A. Lindsay, and Brian T.
Bedinghaus



Robert H. Brown
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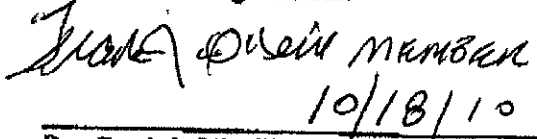


John W. Loseman
LEWIS, OVERBECK & FURMAN, LLP
20 N. Clark Street
Suite 3200
Chicago, IL 60602-5093
312.580.1258

Agreed as to form and substance this 18th day of October, 2010:

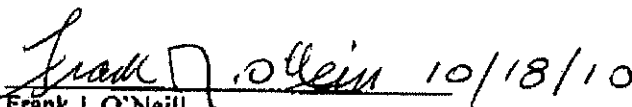
Mr. Frank J. O'Neill of 3953 N. Natchez Avenue, Chicago, IL, acknowledges and attests that he has reviewed this Agreed Motion and the Agreed Judgment in a Civil Case mentioned herein, that he knows the nature and intended purpose of the Motion and Judgment, that he has consulted with or had an opportunity to consult with legal counsel, that he agrees with the terms of the Motion and Judgment, that he willingly executes said documents, that he consents and submits to the personal jurisdiction of the U.S. District Court for the Northern District of Illinois in this case, and that he waives service of process on him as well as all defenses and rights of appeal, if any, in connection with this case.

O'Neill Plumbing Co., Ltd.



By: Frank J. O'Neill, president
3953 N. Natchez Avenue
Chicago, IL 60634
773-777-8106
773 519-8109

Frank J. O'Neill, individually and d/b/a
O'Neill Plumbing Company



Frank J. O'Neill
3953 N. Natchez Avenue
Chicago, IL 60634
773-777-8106

773 519-8109

CERTIFICATE OF SERVICE

John W. Loseman, an attorney, certifies that service of the foregoing Agreed Motion for Entry of Agreed Judgment was effected on the following person(s):

Robert H. Brown, Esq.
LANER, MUCHIN, DOMBROW, BECKER, LEVIN & TOMINBERG, LTD.
515 N. State Street, Suite 2800
Chicago, IL 60654-4688
(rbrown@lanermuchin.com)

via the electronic filing (ECF) system of the United States District Court for the Northern District of Illinois as a result of electronic filing made this 18th day of October, 2010.

John W. Loseman, an attorney, further certifies that he caused a copy of the foregoing Agreed Motion for Entry of Agreed Judgment to be served on the following person(s):

Frank J. O'Neill
3953 N. Natchez Avenue
Chicago, IL 60634

by causing a true and correct copy thereof to be sealed in an envelope addressed as aforesaid, with proper First Class postage prepaid, and deposited with the U.S. Postal Service at 20 N. Clark Street, Chicago, IL on the 18th day of October, 2010.

/s/ John W. Loseman _____