

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

BOARD OF TRUSTEES OF THE	)	
NORTHERN ILLINOIS BENEFIT FUND,	)	
BOARD OF TRUSTEES OF THE	)	
NORTHERN ILLINOIS PENSION FUND,	)	
BOARD OF TRUSTEES OF THE	)	
NORTHERN ILLINOIS EDUCATION	)	
FUND, BOARD OF TRUSTEES OF	)	No. 10 C 1626
THE NORTHERN ILLINOIS	)	
RETIREMENT FUND,	)	Judge Feinerman
	)	
Plaintiffs,	)	Magistrate Valdez
	)	
v.	)	
	)	
BOSTON PLUMBING, INC.,	)	
an Illinois Corporation,	)	
	)	
Defendant.	)	

**MOTION TO REINSTATE & FOR JUDGMENT ON SETTLEMENT AGREEMENT**

NOW COME the Plaintiffs, Board of Trustees of the Northern Illinois Benefit Funds, et al., by and through their attorneys, DONALD D. SCHWARTZ, ANDREW S. PIGOTT, and ARNOLD & KADJAN, and, in their Motion to Reinstate & For Judgment on Settlement Agreement, state as follows:

1. Plaintiffs filed their Complaint against Defendant on March 12, 2010.
2. After nearly three years of litigation, on the eve of trial, Defendant agreed to settle Plaintiffs' claims for \$108,000.00, on a time-repayment basis, with limited personal guarantees provided by its owners. See Ex. A.
3. Defendant has failed to tender its April or May 2013 installments.
4. Under the terms of the Settlement Agreement, in the event of a breach thereof, "the Funds may move the Court for reinstatement of case 10 CV 1626 and judgment on this

Agreement,” and this Court “shall retain jurisdiction to enforce this Settlement Agreement and to address any breach thereof \*\*\*.” See Ex. B.

WHEREFORE, for all the foregoing reasons, Plaintiffs ask this Court to:

- A. Reinststate case 10 C 1626;
- B. Enter judgment against Defendant, BOSTON PLUMBING, and in Plaintiffs’ favor, in the amount of \$89,000.00, the amount remaining due on the settlement balance;
- C. Enter judgment against MICHAEL BOSTON, and in Plaintiffs’ favor, in the amount of \$20,000.00;
- D. Enter judgment against DANIEL BOSTON, and in Plaintiffs’ favor, in the amount of \$20,000.00;
- E. Grant Plaintiffs their attorneys’ fees and costs incurred in post-settlement proceedings, as permitted by the Installment Note incorporated into the Settlement Agreement;
- F. Grant Plaintiffs’ any other relief this Court deems just and equitable.

Respectfully submitted,  
BOARDS OF TRUSTEES OF THE NORTHERN  
ILLINOIS BENEFIT FUNDS,

By: s/Andrew S. Pigott  
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