

3. Defendant did not provide these benefits in violation of ERISA and in violation of its obligations under the union contracts to which it assented with the union as more fully set forth in the complaint filed in this action.

4. This court granted plaintiff's motion for a judgment in a sum certain on August 19, 2010 in the amount of \$88, 337 in unpaid fringe benefits which is what the funds believed they owed at the time of that motion.

5. However, since the time of the motion, the fund office has discovered that they actually owe more, that they owe \$80,952 in unpaid health insurance benefits including penalties and \$33,801 in unpaid pension benefits including penalties, which totals \$114,753. See Exh. A.

6. This amount is owed plus interest under ERISA pursuant to 29 U.S.C. § 1132(g).

7. Therefore, plaintiffs ask this court to amend the court's August 19th order and enter an order of judgment in the amount of \$ 114, 753 plus interest against the defendant.

WHEREFORE plaintiffs ask for the relief indicated above.

Respectfully submitted,

/s/: L. Steven Platt

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