

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

SHEET METAL WORKERS LOCAL 265)	
WELFARE FUND, <i>et al.</i> ,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
vs.)	NO. 10 C 4222
)	
HBC MECHANICAL, INC., an Illinois corporation,)	JUDGE ROBERT M. DOW, JR.
)	
Defendant.)	

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on June 16, 1998, request this Court enter judgment against Defendant, HBC MECHANICAL, INC., an Illinois corporation. In support of that Motion, Plaintiffs state:

1. On August 25, 2010, this Court entered default against Defendant and granted Plaintiffs’ request for an order directing Defendant to turn over its monthly fringe benefit contribution reports for the time period January 2010 forward. The Court also entered an order that judgment would be entered after Defendant submitted the required reports and Plaintiffs determined the amount due and owing.

2. On September 16, 2010, Defendant submitted its monthly fringe benefit contribution reports for March 2010 forward indicating “zero” hours and accordingly no fringe benefit contributions due. Prior reports submitted by Defendant for December 2009 through February 2010 show that the Defendant is delinquent in contributions to the Funds in the amount of \$7,659.36. (See Affidavit of Scott P. Wille).

3. Additionally, the amount of \$765.94 is due for liquidated damages. (Wille Aff. Par. 4(b)).

4. Defendant untimely remitted payment of its fringe benefit contributions due for the month of May 2008 and accordingly incurred liquidated damages in the amount of \$530.09. After a partial payment of \$166.28, Defendant still owes \$363.81 in liquidated damages for the stated month. (Wille Aff. Par. 5).

5. In addition, Plaintiffs' firm has expended \$520.00 in costs and \$793.75 in reasonable attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

6. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$10,102.86.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$10,102.86.

/s/ Cecilia M. Scanlon

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CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 15th day of October 2010:

Mr. Frank T. Senese, Registered Agent/President
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/s/ Cecilia M. Scanlon

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