

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

LINE CONSTRUCTION BENEFIT FUND, A HEALTH AND WELFARE FUND,)	
)	
)	
Plaintiff,)	1:10CV4700
)	
v.)	Judge Feinerman
)	
TC BORDEN UNDERGROUND, INC., a Washington Corporation,)	Magistrate Judge Kim
)	
)	
Defendant.)	

MOTION FOR ENTRY OF JUDGMENT

NOW COMES the Plaintiff by and through their Attorney, Robert B. Greenberg, and moves the Court for entry of judgment on Motion previously noticed and filed for a hearing before Judge Gettleman on September 21, 2010, and in support of its Motion, Plaintiff states as follows:

- 1) Plaintiff filed a Motion for entry of Default Judgment, which was scheduled for hearing on September 21, 2010, before Judge Gettleman.
- 2) That Judge Gary Feinerman was assigned this matter in place of Judge Gettleman, by Executive Committee Order entered on August 23, 2010, a copy of which Order is attached hereto as Plaintiff's Exhibit "1".
- 3) That the Motion scheduled for hearing before Judge Gettleman was reassigned to Judge Gary Feinerman and, pursuant to Order of Judge Feinerman, a copy

of which attached hereto as Exhibit "2," Plaintiff was directed to notify Defendant, T. C. Borden Underground, Inc., to answer or otherwise plead to Plaintiff's Motion by September 30, 2010.

4) That Plaintiff's Counsel sent notice to T. C. Borden Underground, Inc., on September 20, 2010, with a copy of the Court's Order of September 17, 2010, enclosed therewith, via overnight third-party commercial carrier, UPS, as directed by the Court. See Plaintiff Counsel's letter attached hereto as Plaintiff's Exhibit "3," and proof of service, Plaintiff's Exhibit "4."

5) Defendant has failed to file a response to the Plaintiff's Motion for Default Judgment, notwithstanding the Court's Order of September 10, 2010, requiring Defendant to respond by the 30th of September, 2010.

WHEREFORE, Plaintiff prays that the Court enter judgment against the Defendant and in favor of Plaintiff, pursuant to Plaintiff's Motion for entry of default judgment, and in accordance with the order submitted therewith.

/s/ Robert B. Greenberg
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Dated: October 5, 2010