

THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

| | | |
|---|---|---------------------|
| ROOFERS' PENSION FUND, et al. |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Case No. 11 C 05437 |
| |) | Judge Kennelly |
| KEITH A. PINN, A Sole Proprietor d/b/a KAP |) | |
| ROOFING, INC., a Dissolved Illinois Corporation |) | |
| |) | |
| Defendant. |) | |

MOTION FOR JUDGMENT

NOW COME the Plaintiffs (“Trust Funds”) who move this Honorable Court to enter judgment on behalf of the Plaintiffs and against Defendant.

1. Plaintiffs filed the complaint against Defendant on August 11, 2011. See Docket Number 1.

2. Defendant was served with the summons and complaint on August 17, 2011. See Docket Number 5.

3. Defendants’ Answer was due to be filed on September 7, 2011. See Docket Number 5.

3. Defendant failed to answer or otherwise defend to the Complaint and an order of Default was entered against Defendant on October 18, 2011. See Docket Number 11.

4. Defendant produced its books and records and an audit was conducted by the Plaintiff Trust Funds for the period of July 1, 2008 through December 31, 2009.

5. The audit report shows that Defendant has failed to pay to the Trust Funds \$84,202.34 in contributions. See Exhibit A.

6. The Trust Funds demanded payment of the outstanding audit amounts and Defendant has refused to pay.

7. Defendant owed the Trust Funds \$4,400 in attorney fees and \$460 in costs. See Exhibit B.

WHEREFORE, Plaintiffs request the following relief:

1. That judgment be entered against the Defendant herein, KEITH A. PINN, A Sole Proprietor d/b/a KAP ROOFING, INC., a Dissolved Illinois Corporation, and in favor of Plaintiffs and an order be entered requiring Defendant to pay Plaintiffs, within 10 days, \$89,062.34 consisting of the delinquent audit amount for the period of July 1, 2008 through December 31, 2009, and attorney fees and costs.

2. For such other and further relief as the Court may deem just and proper.

ROOFERS' UNION PENSION FUND, ET AL.

/s/ Librado Arreola
Librado Arreola

ASHER, GITTLER & D'ALBA, LTD.
200 W. Jackson, Blvd., Suite 1900
Chicago, Illinois 60606
(312) 263-1500