

THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ROOFERS' PENSION FUND, ROOFERS')
 UNIONS WELFARE TRUST FUND,)
 CHICAGOLAND ROOFERS')
 APPRENTICESHIP AND TRAINING FUND,)
 ROOFERS' RESERVE FUND, ROOFING)
 INDUSTRY ADVANCEMENT and)
 RESEARCH FUND, ROOFERS' LOCAL 11)
 PROMOTIONAL AND ORGANIZATIONAL)
 FUND and NATIONAL ROOFING)
 INDUSTRY PENSION PLAN,)
)
 Plaintiffs,)
 v.)
 KEITH A. PINN, A Sole Proprietor d/b/a)
 KAP ROOFING, INC., a Dissolved Illinois)
 Corporation)
)
 Defendant.)

Case No. 11 C 05437
Judge Kennelly

MOTION FOR SUPPLEMENTAL JUDGMENT

NOW COME the Plaintiffs ("Trust Funds") and move this Honorable Court to enter a default judgment on behalf or 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.

4. Defendant failed to answer or otherwise defend to the Complaint.
5. This Court defaulted Defendant on October 18, 2011, and ordered that an audit of Defendant be completed for the time period of July 1, 2008 through December 31, 2009 . See Docket Numbers 9, 10 and 11.
6. An audit of Defendant was completed and Defendant was sent a copy of the audit on March 21, 2012, and asked to pay the audit amount, \$84,202.34 or if he objected to the audit, to submit the objections and documents to verify his objections by no later than April 4, 2012. See Exhibit A.
7. Defendant failed to pay the amount demanded and objected to certain entries in the audit and discovery was conducted in order for Defendant to verify his position. See Exhibit B.
8. Defendant produced minimal information to verify his objections. See Exhibits C and D.
9. On May 18, 2012, Plaintiffs sent Defendant a Request for Production of Documents, a Request to Admit, Interrogatories and Request to Produce. See Exhibits E and F.
10. Defendant failed to respond to the Request to Admit and the discovery requests. The only response Plaintiffs received from Defendant was a list of names and contact information for those individuals. See Exhibit G.
11. Plaintiffs send Defendant a Notice of Deposition on July 16, 2012 and scheduled Defendant's deposition for August 6, 2012. Attached to Notice was also a

Request for Production of Documents. See Exhibit H.

12. Defendant failed to appear for the deposition scheduled for August 6, 2012. See Exhibit I.

13. Defendant's deposition was rescheduled to August 29, 2012. Defendant was deposed on August 29, 2012, but he failed to produce any of the documents requested in the Notice of Deposition. See Exhibit J.

14. During his deposition, Defendant was asked to produce certain documents that were discussed on the record. Defendant failed to produce those records. See Exhibit K.

15. Plaintiffs have revised the audit and have determined that Defendant owes Plaintiffs \$31, 236.44 for delinquencies during the period of July 1, 2008 through December 31, 2009 and for work performed by Defendant on one project in 2011 at the Crystal Lake Plaza for the Madison Corporate Group, Inc. See Exhibit L.

16. Defendant owes the Trust Funds \$8,156.00 in attorney fees and costs. See Exhibit M.

WHEREFORE, Plaintiffs request the following relief:

1. That judgment be entered against Defendant Keith A. Pinn and that Defendant be ordered to pay, within 10 days, the total amount of \$39,392.44, which includes \$31, 236.44 for the audit period of July 1, 2008 through December 31, 2009, and for work performed by Defendant on one project in 2011 at the Crystal Lake Plaza for

the Madison Corporate Group, Inc., and \$8,156.00 in attorneys fees and costs.

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

ROOFERS' UNION PENSION FUND, ET AL.

/s/Librado Arreola
Librado Arreola

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