

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

FRANK BIANCO and DEBORAH BIANCO,)	
)	
Plaintiffs,)	
)	No. 11-cv-05865
-v-)	Hon. William T. Hart
)	Designated Magistrate Judge Sidney
NU U OF LINCOLN PARK d/b/a NU U MED SPA))	I. Schenkier
A Nevada Limited Liability Company)	
)	
)	
Defendant.)	

MOTION FOR JUDGMENT AND ENTRY OF DAMAGES

Plaintiffs, FRANK BIANCO and DEBORAH BIANCO (“Plaintiffs”), by their attorneys, and pursuant to Rule 55 of the Federal Rules of Civil Procedure a hereby request that this Court grant an Order of Judgment and Damages for Plaintiffs and against Defendant, NU U OF LINCOLN PARK (“Defendant”). In support of this Motion, Plaintiffs state:

1. Plaintiffs filed their Complaint on August 24, 2011 seeking damages and an Order of Possession against Defendant for its breach of a lease agreement. See Exhibit A. See also Exhibit B, Affidavit of Frank Bianco.
2. On October 3, 2011, Plaintiffs filed a Motion for Entry of Judgment and Order of Possession. On October 13, 2011 Plaintiffs’ motion was granted and Plaintiffs were granted an Order of Possession to retake the premises at issue in this case. See Exhibit C.
3. On October 14, 2011 Defendant was personally served. Plaintiffs filed the Summons and Return of Service with this Court on October 17, 2011. See Exhibit D.
4. Defendant has not filed an appearance in this matter, nor has Defendant filed an Answer or other responsive pleading.

5. Plaintiffs have been damaged in the amount of \$495,426.32 as a result of Defendant's breach of the Agreement. Plaintiffs' damages are detailed in the Affidavit of Frank Bianco, attached hereto as Exhibit B.

6. Plaintiffs' damages as a result of Defendant's breach of the Agreement include the following:

- a. Unpaid rent, penalties, interest, and utilities: \$86,041.69 (Exhibit B, ¶ 13).
- b. Legal fees and costs recoverable under Agreement: \$5,187.99 (*Id.* at ¶ 18).
- c. Future rent, utilities, and interest payments: \$404,196.64 (*Id.* at ¶ 17).

WHEREFORE, Plaintiffs request that this Court enter judgment against Defendant, NU U OF LINCOLN PARK, in the total amount of \$495,426.32.

FRANK BIANCO and DEBORAH BIANCO

By: /s/ Patrick D. Austermuehle
One of their Attorneys

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