

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

TRUSTEES of the CHICAGO REGIONAL)	
COUNCIL OF CARPENTERS PENSION)	
FUND, et al.)	
)	
Plaintiffs,)	Case No. 12 C 4268
)	
)	Judge Dow
)	
v.)	
)	
CONTINENTAL COMMERCIAL INTERIORS, INC.))	
)	
Defendant.)	

Motion for Entry of Judgment

Plaintiffs, by its attorney, Daniel P. McAnally, move this Honorable Court for an entry of judgment and in support Plaintiffs state:

1. This is and ERISA trust fund case seeking delinquent contributions, interest, liquidated damages, dues check-off and attorney fees.
2. On September 12, 2012 this Court entered an Agreed Order of Dismissal pursuant to the agreement of the parties, Exhibit A. Because the Defendant defaulted on the Agreed Order, the case was reinstated on January 17, 2013. Plaintiffs' now seek entry of judgment pursuant to the default provisions of the Agreed Order, paragraph 3.
3. The Defendant submitted the monthly contribution reports but failed to submit the ERISA contributions shown to be owed in the amount of \$17,850.88 for the months of November 2011 and March 2012. The Defendant also failed to remit the union dues it withheld from the employees' wages. The amount of dues withheld is \$1,067.77 for the period November 2011 and March 2012, Exhibit B, affidavit of John Libby.

4. The Defendant owes interest on the unpaid ERISA contributions in the amount of \$528.50 pursuant to the Trust Agreements and 29 U.S.C. §1132(g)(2)(B). (Exhibit B)

5. The Defendant owes liquidated damages on the unpaid ERISA contributions in the amount of \$5,811.15 for the period September 2011 through March 2012 pursuant to the Collective Bargaining Agreements, the Trust Agreements and 29 U.S.C. §1132(g)(2)(C)(ii). (Exhibit B)

6. The Defendant owes the sum of \$4,041.25 for necessary and reasonable attorney fees and costs of \$405.00 which are collectible under the terms of the Agreed Order, Collective Bargaining Agreement, the Trust Agreements and 29 U.S.C. §1132(g)(2)(D). (Exhibit C, affidavit of Daniel P. McAnally)

WHEREFORE, Plaintiffs pray that their motion for entry of judgment be granted in the amount of **\$29,704.55**.

Respectively submitted,

s/ DANIEL P. McANALLY
Attorney for Plaintiffs

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