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

CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS PENSION FUND; and ARTHUR H. BUNTE, JR., as Trustee,	) ) )	
Plaintiffs,	) Case No. 12 C 4722	
V.  BOICHOT CONCRETE CORPORATION, a Michigan corporation,	) Honorable Joan B. Gottscha ) District Judge )	аll
Defendant.	)	

## PLAINTIFFS' MOTION FOR ENTRY OF CONSENT JUDGMENT

Plaintiffs, Central States, Southeast and Southwest Areas Pension Fund and Arthur H. Bunte, Jr., as trustee, by and through their undersigned counsel, hereby move the Court to enter a consent judgment in favor of Plaintiffs and against Defendant, Biochot Concrete Corporation (the "Defendant"). In support of thereof, Plaintiffs state as follows:

- 1. Plaintiffs filed this action to collect withdrawal liability from Defendant under the Employee Retirement Income Security Act of 1974 ("ERISA") as amended by the Multiemployer Pension Plan Amendments Act of 1980, 29 U.S.C. § 1001 et seq.
- 2. Plaintiffs and Defendant have agreed to the entry of a consent judgment against Defendant and in favor of Plaintiffs.
- 3. In light of the foregoing, Plaintiffs request that this Court enter a consent judgment against Defendant.
- 4. Prior to the filing of this motion, Plaintiffs' counsel contacted Defendant's counsel stated that he agreed to the granting of this motion.

5. A copy of the proposed Consent Judgment is attached hereto as Exhibit 1 for the Court's review and will also be submitted electronically to the Court's e-mail address for proposed orders.

WHEREFORE, Plaintiffs respectfully request that the Court enter the Consent Judgment attached hereto as Exhibit 1.

Respectfully submitted,

\_/s/ Anthony E. Napoli\_

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