

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

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| TRUSTEES OF THE WILL COUNTY LOCAL |) |
| 174 CARPENTERS PENSION TRUST FUND |) |
| and WILL COUNTY LOCAL 174 WELFARE |) |
| FUND, |) |
| |) No. 12 C 7848 |
| Plaintiffs, |) |
| |) Judge Coleman |
| v. |) |
| |) Magistrate Judge Martin |
| KIMBERLY ANN KURTZ, d/b/a |) |
| W.C. LANGELAND & CO., INC., and |) |
| d/b/a LANGLAND CONSTRUCTION |) |
| CORPORATION, |) |
| |) |
| Defendants. |) |

MOTION TO REINSTATE & FOR JUDGMENT ON SETTLEMENT AGREEMENT

Plaintiffs, TRUSTEES OF THE WILL COUNTY LOCAL 174 CARPENTERS PENSION TRUST FUND and WILL COUNTY LOCAL 174 CARPENTERS WELFARE FUND, by their attorneys, DONALD D. SCHWARTZ, PAUL M. EGAN, GREGORY W. HOSE and ARNOLD AND KADJAN, and, in their Motion to Reinstate & for Judgment on Settlement Agreement, state as follows:

1. Plaintiffs filed their Complaint against Defendant on October 1, 2012.
2. After one year of litigation, Defendant agreed to settle Plaintiffs' claims for \$47,544.38, on a time-repayment basis, with the payment due to be made on or before November 15, 2013. See Ex. A.
3. Defendant has yet to comply with the terms of the settlement agreement, as they

have failed to make the agreed upon payment.

4. Under the terms of the Settlement Agreement, this settlement agreement is contingent of this Court retaining jurisdiction to enforce the terms of the Agreement. See Ex. A.

WHEREFORE, for all the foregoing reasons, Plaintiffs ask this Court to:

- A. Reinstate case 12 C 7848;
- B. Enter judgment against Defendant, Kimberly Curtz d/b/a W.C. Langeland & Co, Inc. and d/b/a Langland Construction Company, and in Plaintiffs' favor, in the amount of \$47,544.38.00, the amount of the agreed upon settlement;
- C. Grant Plaintiffs their attorneys' fees and costs incurred in post-settlement proceedings;
- D. Grant Plaintiffs' any other relief this Court deems just and equitable.

Respectfully submitted,
TRUSTEES OF THE WILL COUNTY LOCAL
174 CARPENTERS PENSION FUND AND WILL
COUNTY LOCAL 174 WELFARE FUND FUND,

By: s/Paul M. Egan
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