

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

MIKE SHALES, JOHN P. BRYAN, AL)
OROSZ, DAN BREJC, JEFF FROST, and)
VERN BAUMAN as Trustees of THE)
FOX VALLEY LABORERS' HEALTH AND)
WELFARE FUND,)

and)

MIKE SHALES, JOHN P. BRYAN, AL)
OROSZ, JEFF FROST, VERN)
BAUMAN and DAN BREJC as Trustees of)
THE FOX VALLEY LABORERS' PENSION)
FUND,)

Plaintiffs,)

v.)

STOKES EXCAVATING INC., an Illinois)
corporation, and DANNY STOKES,)
individually,)

Defendants.)

Case No.: 14-cv-3433

Judge: Harry D. Leinenweber

**FINAL JUDGMENT AGAINST
STOKES EXCAVATING, INC. ON COUNTS I & IV OF THE COMPLAINT**

This matter coming before the Court on Plaintiffs' Motion for Entry of Default and for Final Judgment on Counts I & IV Against Defendant Stokes Excavating, Inc. and the Court having reviewed the motion along with the supporting materials, hereby FINDS, ORDERS, and ADJUDGES as follows:

1. That Defendant STOKES EXCAVATING, INC. is in default.

2. Judgment is entered against Defendant STOKES EXCAVATING, INC. and in favor of Plaintiffs on Counts I and IV of the Complaint in the amount of \$91,349.69 for principal contributions as stated in the audit for the period of October 2010 to December 2013, and based on estimated reports for January, March, April, May, and June 2014; plus Funds liquidated damages at 20%, dues liquidated damages at 10%, interest at 2 percent monthly compounding, audit fees, a cash bond, and attorneys' fees and costs, less a partial payment, as follows:

Welfare Fund Delinquent Contributions	\$1,385.70
Pension Fund Delinquent Contributions	\$1,069.86
Apprenticeship Fund Delinquent Dues	\$54.95
Liquidated Damages on Funds Distributions @20%	\$502.10
Interest on Funds Contributions	\$957.68
Sub-Total Owed to Funds for Delinquent Contributions	\$3,970.29
CCA Delinquent Dues	\$4.16
LDCLMCC Delinquent Dues	\$6.24
LECET Delinquent Dues	\$3.64
Dues Fund	\$34.85
Liquidated Damages on Contributions @10%	\$4.89
Sub-Total Owed to Funds for Delinquent Dues and Affiliated Funds	\$53.78
January 2014 Contributions	\$14,040.00
20% Liquidated Damages	\$2,808.00
Interest	\$1,471.49
March 2014 Contributions	\$11,232.00
20% Liquidated Damages	\$2,246.40
Interest	\$695.33
April 2014 Contributions	\$11,232.00
20% Liquidated Damages	\$2,246.40
Interest	\$461.46
May 2014 Contributions	\$14,040.00
20% Liquidated Damages	\$2,808.00
Interest	\$290.22
June 2014 Contributions	\$11,712.00
20% Liquidated Damages	\$2,342.40
Interest	\$9.23
Sub-Total Owed to Funds based on Estimated Contributions	\$77,634.93
Auditor Fees	\$1,332.27
Surety Bond	\$5,000.00
Attorneys' Fees	\$3,358.42
Partial Payment	(\$1,167.86)
TOTAL OWED:	\$91,349.69

3. Pursuant to Federal Rule of Civil Procedure 54(b), the Court finding no reason for delaying enforcement or appeal, this judgment is a final judgment as to Counts I and IV of the Complaint, and on attorneys' fees incurred in connection with Counts I and IV of the Complaint.

SO ORDERED:

Judge Harry D. Leinenweber

Date: _____