

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

CARPENTERS FRINGE BENEFIT)	
FUNDS OF ILLINOIS, <i>et al.</i> ,)	
)	CIVIL ACTION
Plaintiffs,)	
)	NO. 14 C 5235
vs.)	
)	JUDGE MATTHEW F. KENNELLY
MAXIM CONSTRUCTION CORPORA-)	
TION, INC., an Illinois corporation,)	
)	
Defendant.)	

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on September 16, 2014, request this Court enter judgment against Defendant, MAXIM CONSTRUCTION CORPORATION, INC., an Illinois corporation. In support of that Motion, Plaintiffs state:

1. On September 16, 2014, this Court entered default against Defendant and granted Plaintiffs' request for an order directing Defendant to submit its monthly fringe benefit contribution reports for the time period July 2014 forward. The Court also entered an order that judgment would be entered after Defendant submitted the required reports and Plaintiffs determined the amount due and owing from Defendant.

2. Defendant submitted its monthly fringe benefit contribution reports for July and August 2014 indicating "no work." Defendant previously submitted its fringe benefit contribution reports for January 2014 through May 2014 indicating Defendant owed \$18,007.39 in contributions to the Plaintiff Funds. (See Affidavit of Deborah L. French).

3. Additionally, the amount of \$1,800.74 is due for liquidated damages. (French Aff. Par. 5).

4. Defendant owes a liquidated damages surcharge in the amount of one and one-half (1.5%) percent of the total contributions untimely received, compounded monthly at one and one-half (1.5%) percent, for the period accrued through August 31, 2014, in the total amount of \$273.10.

5. Defendant remitted two payments totaling \$18,007.39 toward the contributions due and owing (French Aff. Par. 6).

6. In addition, Plaintiffs' firm has expended the amount of \$1,255.00 in attorneys' fees and \$495.00 in costs, for a total of \$1,750.00, in this matter. (See Affidavit of Catherine M. Chapman).

7. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$3,823.84.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$3,823.84.

/s/ Cecilia M. Scanlon

Cecilia M. Scanlon
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6288574
Telephone: (312) 216-2584
Facsimile: (312) 236-0241
E-Mail: cscanlon@baumsigman.com

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Notice of Motion) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 14th day of October 2014:

Mr. Daniel W. Sjong, Registered Agent
Maxim Construction Corporation, Inc.
31632 N. Ellis Drive, #111
Volo, IL 60073

/s/ Cecilia M. Scanlon

Cecilia M. Scanlon
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6288574
Telephone: (312) 216-2584
Facsimile: (312) 236-0241
E-Mail: cscanlon@baumsigman.com