

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

IRON WORKERS' MID-AMERICA	)	
PENSION PLAN, <i>et al.</i> ,	)	
	)	CIVIL ACTION
Plaintiffs,	)	
	)	NO. 16 C 2378
vs.	)	
	)	JUDGE ROBERT M. DOW, JR.
PAPPAS CONSTRUCTION COMPANY	)	
INCORPORATED, a Tennessee corporation,	)	
	)	
Defendant.	)	

**MOTION FOR ENTRY OF JUDGMENT**

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on November 14, 2016, request this Court enter judgment against Defendant, PAPPAS CONSTRUCTION COMPANY INCORPORATED, a Tennessee corporation. In support of that Motion, Plaintiffs state:

1. On November 14, 2016, this Court entered default against Defendant.
2. On March 21, 2017, this Court granted Plaintiffs' request for an order directing an audit of the Defendant's payroll books and records. The Court also entered an order that judgment would be entered after the completion of the audit. The audit was to be completed within 30 days of the entry of said Order, or by April 20, 2017.
3. Completion of the audit was delayed by Defendant's refusal to provide all necessary records, to the point where the Court entered a body attachment order and Defendant's principal officer was brought before the Court by the U.S. Marshals.

4. On June 5, 2018, Plaintiffs' auditors completed the audit of the Defendant's payroll books and records for the time period January 1, 2013 through December 31, 2017. The audit findings show that the Defendant is delinquent in contributions to the Funds in the amount of \$2,307.78. (See Affidavit of Joseph J. Burke).

5. Additionally, the amount of \$1,519.70 is due for liquidated damages for the audit period. (Burke Aff. Par. 5). Plaintiffs' auditing firm of Legacy Professionals, LLP charged Plaintiffs \$1,285.50 to perform the audit examination and complete the report (Burke Aff. Par. 6).

6. Plaintiffs obtained certified payrolls on the Geneseo High School Project through the Freedom of Information Act for the months of March 2017 and April 2017. Defendant failed to report and pay contributions and liquidated damages for these months. Accordingly, Plaintiffs have determined that Defendant owes \$6,558.76 for contributions and \$1,481.27 for liquidated damages, for a total of \$8,040.03, for this project.

7. In addition, Plaintiffs' firm has expended the total amount of \$1,503.00 for costs and \$8,940.00 in attorneys' fees, for a total of \$10,443.00, in this matter. (See Affidavit of Catherine M. Chapman).

8. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$23,596.01.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$23,695.01.

/s/ Patrick N. Ryan

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**CERTIFICATE OF SERVICE**

The undersigned, an attorney of record, hereby certifies that on or before the hour of 4:00 p.m., this 23rd day of October 2018, he electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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