

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

TRUSTEES OF THE CHICAGO PAINTERS)	
AND DECORATORS PENSION FUND,)	
TRUSTEES OF THE CHICAGO PAINTERS)	
AND DECORATORS WELFARE FUND,)	
TRUSTEES OF THE CHICAGO PAINTERS)	
AND DECORATORS DEFERRED SAVINGS)	
FUND, TRUSTEES OF THE CHICAGO)	
PAINTERS AND DECORATORS)	No. 16 C 7533
APPRENTICESHIP FUND, TRUSTEES OF THE)	
CHICAGO PAINTERS AND DECORATORS)	Judge Kennelly
SCHOLARSHIP FUND AND TRUSTEES OF)	
THE CHICAGO PAINTERS AND)	Magistrate Judge Valdez
DECORATORS JOINT COOPERATION)	
TRUST FUND,)	
)	
)	
Plaintiffs,)	
)	
v.)	
)	
REGENCY GROUP OF ILLINOIS, INC., a)	
dissolved Illinois corporation, and JOSEPH)	
CAMPISI, Individually,)	
)	
)	
Defendants.)	

PLAINTIFFS' MOTION FOR JUDGMENT IN A SUM CERTAIN

Plaintiffs, by and through their attorneys, DONALD D. SCHWARTZ, JAMES R. ANDERSON, GRANT R. PIECHOCINSKI and ARNOLD AND KADJAN LLP, move this Court to enter judgment in favor of Plaintiffs and against both Defendants in the sum certain of \$135,673.07. In support of their Motion, the Plaintiffs state as follows:

1. This is an action to recover delinquent fringe benefit fund contributions due and owing and a result of breaches of collective bargaining agreements, declarations of trust, and applicable provisions of ERISA.
2. The Defendants were personally served with the Summons and Complaint and were

defaulted by order of this Court dated September 2, 2016. See Exhibit 1. The Defendants have not moved to vacate the default.

3. As a result of the default, all allegations in the Complaint are deemed to be admitted, including that Defendant Regency Group of Illinois Inc. is Regency Decorating's alter ego bound to Regency Decorating's Labor Agreement and Trust Agreements. See Exhibit 2. (Complaint at paragraphs 12,13). Similarly, admitted is that Regency Group was required to provide a bond in the amount of Ten Thousand Dollars prior to commencing work covered by the Labor Agreement and its failure to do so imposes liquidated liability upon the employer and each corporate official of that employer "in the amount of Thirty Thousand Dollars (\$30,000.00) plus all unpaid amounts in excess of that sum which are due by that Employer." (Complaint, paragraph 18). Regency Group performed work without providing any bond and thus, its corporate officer, Joseph Campisi, president, is personally liable for all amounts owed. (See Exhibit 2, Complaint, paragraphs 19 through 21),

4. According to the Affidavit of Richard Wolf, attached as Exhibit 3, Regency Group of Illinois, Inc. owes Plaintiffs the amount of **\$158,985.67** based upon an audit for the period from October 1, 2014 through August 31, 2016. The findings consist of \$103,187.69 in contributions, \$15,478.15 in liquidated damages, and \$1,680.00 for audit costs, and \$37,639.83 in accumulated unpaid liquidated damages assessed on tardily submitted monthly reports.

5. Regency Group has made payments to the Plaintiffs that total \$23,312.60. After subtracting the amount of those payments, the amount owed is reduced to \$135,673.07.

WHEREFORE, Plaintiffs pray for the following relief:

A. That final judgment be entered in favor of Plaintiffs and against the Defendants

Regency Group of Illinois, Inc. and Joseph Campisi individually, in the amount of \$135,673.07. (A proposed order is attached as Exhibit 4, and is also being sent via the Court's email system).

Respectfully submitted,

TRUSTEES OF THE CHICAGO PAINTERS et al,

s/s James R. Anderson

One of Plaintiffs' attorneys

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