

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

EARTHMIX FRUIT & VEGETABLE CO.

Plaintiff

v.

NATIONAL PRODUCE SALES, INC.;

DAVID M. EL-ABOUDI, individually; and

MICHAEL HUGHES.

Defendants.

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Case No. 16-cv-9243

Judge: Hon. Marvin E. Aspin

JOINT MOTION FOR ENTRY OF CONSENT JUDGMENT

COME NOW Plaintiff EARTHMIX FRUIT & VEGETABLE CO. (“Plaintiff”) and Defendants NATIONAL PRODUCE SALES, INC. (“Company”), and DAVID M. EL-ABOUDI and MICHAEL HUGHES (collectively referred to as “Principals”) (the Company and Principals are collectively referred to as the “Defendants”), by and through counsel, and move for entry of a Consent Judgment against Defendants, jointly and severally, in the form attached hereto, that the parties agreed would be entered upon a default in payment by Defendants. As grounds for this Motion, it is submitted that Defendants have failed to make the agreed payments set forth in the parties’ Settlement Agreement or cured the default after receiving notice of the same, that Plaintiff has incurred attorneys’ fees by reason of Defendants’ default, and that Defendants consented to the entry of judgment against them, plus attorneys’ fees incurred by reason thereof, subject to prove up, in the event an uncured default took place. In support thereof, the Court is respectfully referred to the Declaration of lead counsel for the Plaintiff filed herewith.

WHEREFORE, Plaintiff and Defendants request that their Joint Motion for Entry of Consent Judgment be granted.

Dated this 28 day of November, 2016.

AGREED AND APPROVED:

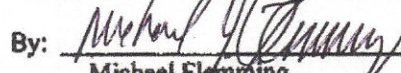
NATIONAL PRODUCE SALES, INC.

By: 

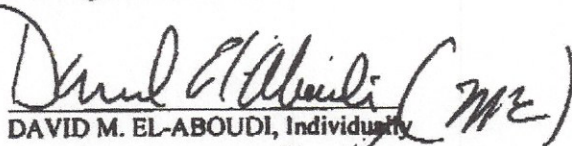
Print Name: Mike Hylan

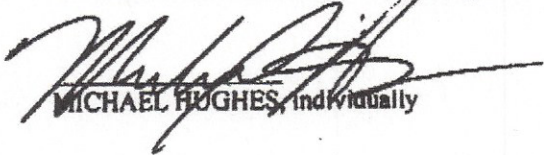
Title: Owner

EARTHMIX FRUIT & VEGETABLE CO.

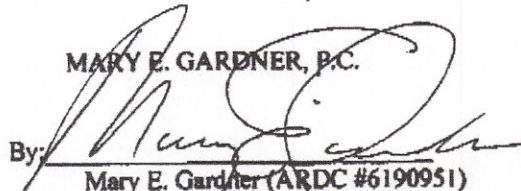
By: 

Michael Flemming
President


DAVID M. EL-ABOUDI, Individually

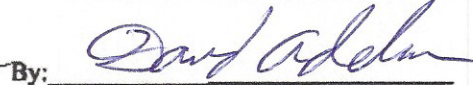

MICHAEL HUGHES, individually

MARY E. GARDNER, P.C.

By: 

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