

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

SMART LOCAL 265 WELFARE FUND,)	
<i>et al.</i> ,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
vs.)	NO. 23 C 16093
)	
IN-STALL, INC., an Illinois corporation,)	JUDGE MANISH S. SHAH
)	
Defendant.)	

PLAINTIFFS’ MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, SMART LOCAL 265 WELFARE FUND, *et al.*, by their attorneys, default having been entered against the Defendant on December 28, 2023, request this Court enter judgment against Defendant, IN-STALL, INC., an Illinois corporation, pursuant to F.R.Civ.P. Rule 55(b). In support of this Motion, Plaintiffs state:

1. On December 28, 2023, this Court entered default against Defendant and granted Plaintiffs’ request for an order directing Defendant to turn over its monthly fringe benefit contribution reports for the months of October 2023 and November 2023. The Court also entered an order that judgment would be entered after Plaintiffs’ received the required contribution reports and determined the amounts due and owing from Defendant.

2. Since the entry of the Court’s Order on December 28, 2023, Defendant has submitted its monthly fringe benefit contribution reports and amounts due thereon for the months of October 2023 through April 2024. With the exception of February 2024 and March 2024 reports, all other reports were untimely submitted.

3. In addition, Defendant submitted its monthly fringe benefit contribution report for April 2024 without the amounts due thereon. This report supports the conclusion that Defendant is delinquent in fringe benefit contributions to the Funds in the amount of \$9,402.12. (See Affidavit of Katie Eby).

3. Due to the late submission of contributions due and owing for the months of August 2022, September 2022, November 2022, February 2023 through January 2024 and April 2024, Defendant owes Plaintiffs \$36,530.10 for liquidated damages. (Eby Aff. Par. 5).

4. In addition, Plaintiffs' firm has expended \$552.00 for costs and \$1,581.00 for attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

5. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$48,065.22.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$48,065.22.

/s/ Catherine M. Chapman

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CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Plaintiffs' Motion for Entry of Judgment) 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 5th day of June 2024:

Silvano P. Sintich, Registered Agent
In-Still, Inc.
17 W. Burlington Avenue
Western Springs, IL 60558-1630

/s/ Catherine M. Chapman

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