

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

THE CONSTRUCTION INDUSTRY)
RETIREMENT FUND OF ROCKFORD,)
ILLINOIS and THE CONSTRUCTION)
INDUSTRY WELFARE FUND OF)
ROCKFORD, ILLINOIS,)

Plaintiffs,)

vs.)

MILLENNIUM CONSTRUCTION OF)
ILLINOIS, Inc., an Illinois corporation,)

Defendant.)

District Judge: Frederick J. Kapala

Magistrate Judge: P. Michael Mahoney

Case No: 11 C 50343

MOTION FOR ENTRY OF DEFAULT JUDGMENT IN A SUM CERTAIN

Plaintiffs, the Construction Industry Retirement Fund of Rockford, Illinois, and the Construction Industry Welfare Fund of Rockford, Illinois (hereinafter referred to as "plaintiffs" or "the Funds"), state as follows for their Motion for Entry of Default Judgment in a Sum Certain against Millennium Construction of Illinois:

1. Plaintiffs filed a complaint in this matter on November 18, 2011. (Dkt # 1).
2. Defendant was served with the complaint and summons on November 30, 2011, making its responsive pleading due no later than December 21, 2011. (Dkt # 7).
3. To date, defendant has not had an appearance filed on its behalf, or filed any form of responsive pleading.
4. Pursuant to the complaint, defendant has failed to pay the Funds amounts due, which

the Funds are entitled to pursuant to the collective bargaining agreement and subsequent trust agreements to which defendant is bound.

5. According to the Affidavit of Shelli McPeck on behalf of the Funds, attached hereto as Exhibit A, defendant is liable for \$7,116.75 in unpaid contributions and late fees, all of which are recoverable under the applicable agreements.

6. The Declaration Regarding Attorney's Fees, attached as Exhibit B, indicates that an additional \$2,488.80 is due and owing for the costs and attorneys fees incurred in pursuing this case against defendant, the recovery of which is provided for in the applicable agreements and prayed for in the complaint.

7. Based upon the forgoing, a default judgment should enter under Rule 55(b) in the amount of **\$9,605.55** (\$7,116.75 in unpaid contributions and liquidated damages, plus \$2,488.80 in attorney's fees and costs = \$9,605.55).

WHEREFORE, Plaintiffs respectfully move this Court for entry of a default judgment against defendant, Millennium Construction of Illinois, in the amount of \$9,605.55.

THE CONSTRUCTION INDUSTRY RETIREMENT
FUND OF ROCKFORD, ILLINOIS & THE
CONSTRUCTION INDUSTRY WELFARE FUND
OF ROCKFORD, ILLINOIS , Plaintiffs

By: WilliamsMcCarthy LLP

/s/ Troy E. Haggstad

CERTIFICATE OF LAWYER AND NOTICE OF ELECTRONIC FILING

The undersigned certifies that:

1) On May 17, 2012, the foregoing document was electronically filed with the District Court Clerk via CM/ECF filing system; and

2) On May 17, 2012, the foregoing document was placed in the U.S. mail with postage paid, addressed to the following:

Millennium Construction of Illinois, Inc.
c/o Andre L. Hunter, Registered Agent
450 Prairie Ave
Calumet City, IL 60409

/s/ Troy E. Haggstad

Troy E. Haggstad (#06229384)
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