

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

CARPENTERS PENSION FUND OF)	
ILLINOIS, <i>et al.</i> ,)	
)	CIVIL ACTION
Plaintiffs,)	
)	NO. 20-cv-50253
vs.)	
)	MAGISTRATE JUDGE MARGARET J. SCHNEIDER
KYLER CONSTRUCTION, INC.,)	
)	
Defendant.)	

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on January 4, 2022 [Dkt. 54] (copies of the Notification of Docket Entry entered on January 4, 2022 granting Plaintiffs’ motion for entry of default and the Notification of Docket Entry entered on January 4, 2022 [Dkt. 55] (Clerk’s Entry of Default) are attached hereto), request this Court enter judgment against Defendant, KYLER CONSTRUCTION, INC., pursuant to F.R.Civ.P. Rule 55(b).

In support of this Motion, Plaintiffs state:

1. On January 4, 2022, this Court entered default against Defendant.
2. In or around July 2021, Plaintiffs’ auditors completed audits of the payroll books and records of Defendant for the time period November 1, 2017 through July 31, 2019. The audit findings show that the Defendant is delinquent in contributions to the Funds in the amount of \$189,314.92, \$18,931.49 for liquidated damages and the additional sum of \$107,701.24 for interest, for a total of \$315,947.65. (See Affidavit of David Bratek).

3. Plaintiffs' auditing firm of MacNell Accounting & Consulting charged Plaintiffs a total of \$1,563.00 to perform the audit examinations and complete the audit reports and the Funds are entitled to recover said fees under their Trust Agreements (Bratek Aff. Par. 8).

4. In addition, Plaintiffs' firms have expended \$1,130.00 for costs and \$8,515.50 for attorneys' fees in this matter. (See Affidavits of Catherine M. Chapman and John P. Leahy).

5. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$327,156.15.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$327,156.15.

/s/ Cecilia M. Scanlon

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CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (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 and Certified Mail/Return Receipt Requested to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 9th day of May 2022:

Mr. Gregory Kyler, Registered Agent/President
Kyler Construction, Inc.
1140 S. Wabash Avenue, #1502
Chicago, IL 60605-2330

Mr. Gregory Kyler
455 E. Waterside Drive, Unit 2309
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/s/ Cecilia M. Scanlon

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