

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

SHEET METAL WORKERS'	)	
INTERNATIONAL ASSOCIATION	)	
LOCAL 268, et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Case No. 09-cv-0082-MJR-CJP
	)	
ERNEST L. MORRIS,	)	
	)	
Defendant.	)	

ORDER SETTING STATUS REPORT DEADLINE

REAGAN, District Judge:

In January 2009, Plaintiffs filed this action to recover delinquent fringe benefit contributions under Section 301 of the Labor Management Relations Act of 1947, as amended, 29 U.S.C. § 185, and Section 502 of ERISA, as amended, 29 U.S.C. § 1132. Defendant Ernest Morris, who does business as ELM Sheet Metal Heating and Air Conditional Co., Inc., failed to answer or otherwise respond to Plaintiffs' complaint. Plaintiffs obtained a clerk's entry of default in April 2009. In May 2009, the undersigned Judge granted default judgment in favor of Plaintiffs, directed Defendant to produce the relevant payroll and financial records in June 2009, and instructed Plaintiffs' counsel to take steps enabling this Court to enter judgment for the appropriate total.

Delays in the audit process stalled progress, and the undersigned Judge directed Plaintiffs' counsel to file status reports on three dates. Plaintiffs' counsel complied with the Court's directive, culminating in a March 11, 2010 status report (Doc. 25) explaining how and why the documents produced to date are insufficient to permit completion of a thorough audit. Plaintiffs' counsel attached a letter to Defendant in which Plaintiff demands that specific records be produced by an imminent deadline.

The time lapse between the grant of default judgment and the entry of judgment (and resulting closure of the case) has tried the Court's patience. However, the record reveals that Plaintiffs are endeavoring to finalize the audit, that the delays are not of Plaintiffs' making, and that good cause exists to permit a brief extension of time to bring this matter to closure.

Accordingly, the Court **DIRECTS** Plaintiffs' counsel to file a motion (and submit a corresponding proposed Order) detailing and totaling the damages herein. Plaintiffs' "Motion for Entry of Judgment" shall be filed no later than **May 10, 2010**, with a proposed Order submitted to the Judge's law clerk at [MJRpd@ilsd.uscourts.gov](mailto:MJRpd@ilsd.uscourts.gov).

IT IS SO ORDERED.

DATED March 15, 2010.

s/ Michael J. Reagan \_\_\_\_\_  
Michael J. Reagan  
United States District Judge