

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

**EMPLOYERS & CEMENT MASONS  
LOCAL #90 HEALTH & WELFARE  
FUND, et al.,**

**Plaintiffs,**

**v.**

**W.C., BEISER CONCRETE  
COMPANY, INC.,**

**Defendant.**

**Case No. 10-cv-668-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Before the Court is Plaintiffs’ Motion for Default Judgment (Doc. 7) against Defendant. In examining the Motion and supporting affidavit (Doc. 7), the Court notes Plaintiffs have not yet met the requirements set forth by the Court’s **LOCAL RULE 55.1.**

**LOCAL RULE 55.1(a)** requires the moving party to: (1) “give notice of the entry of default to the defaulting party by regular mail sent to the last known address of the defaulted party,” and (2) “certify to the Court that notice has been sent.”<sup>1</sup>

Further, **LOCAL RULE 55.1(b)** requires that the motion seeking default judgment

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<sup>1</sup> The docket reflects that Plaintiffs have moved for an entry of default (Doc. 5) and obtained the Clerk’s Entry of Default (Doc. 6) against Defendant on October 15, 2010. However, nothing on the docket or within Plaintiffs’ Motion for Default Judgment (Doc. 7) certifies to the Court that they provided Defendant with notice of the Clerk’s entry of default by regular mail sent to Defendant’s last known address.

“shall contain a statement that a copy of the motion has been mailed to the last known address of the party from whom default judgment is sought. If the moving party knows, or reasonably should know, the identity of an attorney thought to represent the defaulted party, the motion shall also state that a copy has been mailed to that attorney.”

Accordingly, the Court hereby allows Plaintiffs leave to file a supplement to their motion to demonstrate full compliance with **LOCAL RULE 55.1**. This supplement shall be filed by **November 12, 2010**. Failure to do so will result in a denial of the motion.

**IT IS SO ORDERED.**

Signed this 29th day of October, 2010.

  David R. Herndon  
2010.10.29 10:16:29  
-05'00'

**Chief Judge  
United States District Court**