

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
EMPLOYERS & CEMENT MASONS #90
HEALTH & WELFARE FUND, by and through
its Board of Trustees,**

and

**EMPLOYERS AND CEMENT MASONS #90
PENSION FUND, by and through is Board
of Trustees,**

Plaintiffs,

v.

No. 15-0934-DRH

FOURNIE CONTRACTING COMPANY,

Defendant.

ORDER

HERNDON, District Judge:

On May 3, 2017, the Court granted plaintiffs' March 22, 2017 motion for summary judgment, found in favor of plaintiffs and against defendant and awarded plaintiff \$42,078.23 as well as reasonable attorney fees (Doc. 35).¹ Further, the Court allowed plaintiffs up to and including May 24, 2017 to file the petition for attorney fees and noted that the Court will enter judgment at the conclusion of the issue of attorney fees. Now before the Court is plaintiffs' May 24, 2017 petition for attorney's fees and costs (Doc. 36). Specifically, plaintiffs seek \$16,342.00 in attorney's fees and costs. In support of this amount, plaintiffs attached a copy of

¹ Defendant did not respond to the motion for summary judgment.

the bills and an affidavit submitted by attorney Jacob A. Blickhan detailing the fees and costs associated with this matter. As of this date, defendants have not responded to the petition for attorney's fees and costs. Thus, the Court considers this failure an admission of the motion.² After reviewing of the affidavit and the bills submitted, the Court finds that the attorney fees and costs are reasonable in this matter.

Accordingly, the Court **GRANTS** the petition for attorney's fees and costs (Doc. 36). The Court **AWARDS** plaintiffs \$16, 342.00 in fees and costs. Pursuant to the Court's May 3, 2017 Order granting summary judgment, the Court also **AWARDS** plaintiffs \$42,078.23 in damages. Further, the Court **DIRECTS** the Clerk of the Court to enter judgment in favor of plaintiffs and against defendant in this case.

IT IS SO ORDERED.

Signed this 20th day of June, 2017.

Digitally signed by
Judge David R.
Herndon
Date: 2017.06.20
16:31:50 -05'00'



United States District Judge

² Local Rule 7.1(g) provides in part: "A party opposing a motion not listed in subsection (c) shall have **14 days** after service of the motion to file a written response. Failure to file a timely response to a motion may, in the Court's discretion, be considered an admission of the merits of the motion."