

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

MICHAEL HAFFNER, as Trustee of the)	
CHAUFFEURS, TEAMSTERS & HELPERS)	
LOCAL UNION NO. 301 HEALTH &)	
WELFARE FUND and as Trustee of the)	Case No. 08 C 1246
CHAUFFEURS, TEAMSTERS & HELPERS)	
LOCAL UNION NO. 301 PENSION FUND,)	Judge Lindberg
)	
Plaintiff,)	Magistrate Judge Valdez
v.)	
)	
GREGORY TRUCKING, INC.,)	
)	
Defendant.)	

AGREED MOTION FOR ENTRY OF AGREED JUDGMENT

Now Come Plaintiff, Michael Haffner, as Trustee of the Chauffeurs, Teamsters & Helpers Local Union No. 301 Health & Welfare Fund ("Welfare Fund") and as Trustee of the Chauffeurs, Teamsters & Helpers Local Union No. 301 Pension Fund ("Pension Fund") and Defendant, Gregory Trucking, Inc., and file this Agreed Motion for Entry of Agreed Judgment ("Motion") and in support thereof state:

1. Plaintiff filed February 29, 2008 a complaint pursuant to the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. Section 1132(a)(3) to collect delinquent employee benefit fund contributions.
2. Summons and complaint were served March 4, 2008 upon Defendant's president, Robert E. Gregory.
3. The parties subsequently reached an oral agreement in which they agreed to end the litigation through entry of an agreed judgment calling for Defendant's payment of the

delinquent employee benefit fund contributions over a two year period. However, due to a miscommunication Plaintiff filed April 11, 2008 Plaintiff's Motion for Entry of Default Judgment.

4. As a result of further discussions, the parties have renewed their original agreement to end the litigation through entry of an agreed judgment. That agreement is reflected in the proposed Agreed Judgment attached hereto.

5. Due to renewal of their agreement and filing of the instant Motion, Plaintiff desires to withdraw his motion for entry of default judgment.

6. The parties believe that entry of the proposed agreed judgment is warranted in the interest of judicial economy.

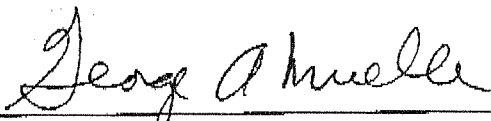
WHEREFORE, Plaintiff and Defendant hereby request that the Court enter the attached proposed agreed judgment.

Respectfully submitted,

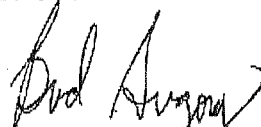


Martin P. Barr, attorney for Plaintiffs
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(312) 236-8033

Dated: April 16, 2008



George A. Mueller, attorney for Defendant
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(815) 459-9081



Bud Gregory - its President
GREGORY TRUCKING, INC.,

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LOCAL UNION NO. 301 PENSION FUND,)	Judge Lindberg
)	Magistrate Judge Valdez
)	
Plaintiff,)	
)	
v.)	
)	
GREGORY TRUCKING, INC.,)	
)	
Defendant.)	

AGREED JUDGMENT

The Court having determined that, consistent with the agreement of Plaintiff Michael Haffner, as Trustee of the Chauffeurs, Teamsters & Helpers Local Union No. 301 Health & Welfare Fund and as Trustee of the Chauffeurs, Teamsters & Helpers Local Union No. 301 Pension Fund and Defendant Gregory Trucking, Inc., judgment should be entered in favor of Plaintiff and against Defendant,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT JUDGMENT IS ENTERED IN FAVOR OF PLAINTIFF AS FOLLOWS:

1. Defendant is indebted to Plaintiff in the amount of \$12,146.83 ("Judgment amount"), representing \$10,820.75 in delinquent fund contributions and \$1,326.08 in liquidated damages.
2. Defendant will pay the Judgment Amount plus simple interest thereon of \$1,080.00, calculated at the rate of 6%, in twenty-three (23) monthly payments of \$500.00

commencing April 1, 2008 and due on the first of each month thereafter until paid in full, plus a twenty-fourth (24th) payment of \$1,726.83. In the event of non payment when due of any monthly payment, the entire unpaid balance of the Judgment Amount will become immediately due and owing together with the costs of this action, \$502.50, plus post-judgment interest in accordance with 26 U.S.C. Section 6621 and any costs and reasonable attorney's fees incurred in enforcing this Agreed Judgment.

Date: _____

Judge George W. Lindberg

Agreed:

Martin P. Barr

Attorney for Plaintiff

Agreed:

George A. Muell

Attorney for Defendant

Bud Gregory

Bud Gregory - its president
GREGORY TRUCKING, INC.