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

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) No. 08 C 1234
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) Judge Gottschall
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) Mag. Judge Schenkier
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## **MOTION FOR RULE TO SHOW CAUSE**

NOW COME the Plaintiffs, MASONRY INSTITUTE, BRICKLAYERS LOCAL 21 PENSION FUND, and BRICKLAYERS LOCAL 21 OF ILLINOIS APPRENTICESHIP AND TRAINING PROGRAM, AND BRICKLAYERS AND STONE MASONS OF ILLINOIS DISTRICT COUNCIL NO. 1 B.A.C. ANNUITY TRUST FUND, by their attorney, Robert B. Greenberg of Asher, Gittler, Greenfield & D'Alba, Ltd., and move the court for entry of an order for Rule to Show Cause to issue against the Defendant, Thomas Gilkos, President of Defendant, STONE USA, INC., an Illinois Corporation, failure to comply with the Court's Order entered on May 21, 2008, and in support of said Motion, Plaintiffs state as follows:

1) On May 21, 2008, the Court entered an Order against the Defendant, STONE USA, INC., an Illinois Corporation, a copy of which Order is attached hereto as Plaintiffs' Exhibit 1.

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2) That notwithstanding that the Order provided for the Defendant to produce

its books and records for the period September 1, 2006, through February 29, 2007, within

20 days from the date of the Order, the Defendant has failed and refused to produce its

books and records.

WHEREFORE, Plaintiffs pray that an Order enter against the Defendant's President,

Thomas Gilkos, for a Rule to Show Cause, requiring Thomas Gilkos to appear before the

Court, and to show cause as to why he should not be held in contempt of Court for failing

to comply with the Court's Order entered on May 21, 2008.

/s/ Robert B. Greenberg

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Dated: August 19, 2008