

UNOFFICIAL COPY 91304327

# United States District Court

EASTERN

DISTRICT OF

VIRGINIA

BOARD OF TRUSTEES,  
SHEET METAL WORKERS NATIONAL  
PENSION FUND, et al.,  
Plaintiffs,

## CERTIFICATION OF JUDGMENT FOR REGISTRATION IN ANOTHER DISTRICT

v.  
VALLEY HEATING & AIR CONDITIONING, INC.  
and JAMES P. RYAN and JOHN X. SCHOBEL,  
Defendants.

Case Number: 89-1433-A

I, DORIS R. CASEY

Clerk of this United States District Court

certify that the attached judgment is a true and correct copy of the original judgment entered in this action on May 7, 1990, as it appears in the records of this court, and that

no notice of appeal from this judgment has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed.

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court on

4/5/91  
Date

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42261 \* E \* -91-304327  
COOK COUNTY RECORDER

DORIS R. CASEY, Clerk  
Clerk Doris R. Casey

Regina M. Sengle  
(By) Deputy Clerk

91304327

\*Insert the appropriate language: . . . "no notice of appeal from this judgment has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed." . . . "no notice of appeal from this judgment has been filed, and any motions of the kinds listed in Rule 4(a) of the Federal Rules of Appellate Procedure (\*) have been disposed of, the latest order disposing of such a motion having been entered on [date]." . . . "an appeal was taken from this judgment and the judgment was affirmed by mandate of the Court of Appeals issued on [date]." . . . "an appeal was taken from this judgment and the appeal was dismissed by order entered on [date]."

(\*Note: The motions listed in Rule 4(a), Fed. R. App. P., are motions: for judgment notwithstanding the verdict; to amend or make additional findings of fact; to alter or amend the judgment; for a new trial; and for an extension of time for filing a notice of appeal.)

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IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

BOARD OF TRUSTEES, SHEET METAL  
WORKERS NATIONAL PENSION FUND,  
et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 89-1433-A

VALLEY HEATING & AIR CONDITIONING  
INC., et al.,

Defendants.

ORDER

Upon consideration of the March 15, 1990 Report  
and Recommendation of the United States Magistrate designated  
to conduct a hearing on the plaintiffs' motion for ex party  
proof, no objection having been filed within ten days, and  
upon an independent review of the record, it is hereby

ORDERED that the court adopts as its own the find-  
ings of fact and accepts the recommendation of the United  
States Magistrate, and the proposed Judgment and Order sub-  
mitted by the plaintiffs, as amended, is this day entered.

02304387

*GVB*

United States District Judge

Alexandria, Virginia  
April 4th, 1990

A True Copy, Teste:  
Doris R. Casey,

A True Copy, Teste:  
Doris R. Casey, Clerk

By

*Shea P. McWay*  
Deputy Cl.

By *Regina M. Hughes*  
Deputy Clerk

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 08/24/01 BY 60322 UC/MLA

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08/24/01

08/24/01

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

BOARD OF TRUSTEES,  
SHEET METAL WORKERS NATIONAL PENSION  
FUND, et al.,

Plaintiffs,

v.

Civil Action No. 89-1433-A

VALLEY HEATING & AIR CONDITIONING,  
INC.

and

JAMES P. RYAN

and

JOHN X. SCHOBER,

Defendants.

JUDGMENT AND ORDER

Upon consideration of the entire record of this case, it appearing to the Court that defendants Schober and Ryan have failed to plead or otherwise defend in this action and that defaults have been entered and it appearing from plaintiffs' Motions for Default Judgment and all supporting papers and documents submitted therewith, that there is a substantial and adequate basis for the relief sought, pursuant to 29 U.S.C. §1132(g)(2) and 18 U.S.C. §1964(c), it is this 11<sup>th</sup> day of April, 1990,

ORDERED, that plaintiffs' Motion For Default Judgment be and it is hereby GRANTED, and judgment by default shall be entered in the above-captioned case in favor of plaintiffs and against defendants Schober and Ryan, jointly and severally; and it is

A True Copy, Teste:  
Doris R. Casey, Clerk

By Rebecca M. Jurgens  
Deputy Clerk

89-1433-A

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THE CLERK OF THE COURT  
COURT HOUSE  
CHICAGO, ILL.

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*mtk*  
*valky*

FURTHER ORDERED, that defendants Schober and Ryan shall pay to plaintiffs and plaintiffs are hereby awarded ~~\$52,006.13~~ <sup>\$18,788.71</sup> which is a sum equal to ~~three (3)~~ <sup>5</sup> times the amount of delinquent monthly contributions, accrued interest and liquidated damages or penalties due plaintiffs for the period November 1988 through November 21, 1989; and it is

FURTHER ORDERED, that defendants Schober and Ryan shall pay to plaintiffs additional interest at the rates prescribed under 26 U.S.C. § 6621 on the amount of any delinquent monthly contributions awarded in this Order from the date the contribution was due through the date payment is finally made; and it is

FURTHER ORDERED, that defendants Schober and Ryan shall submit to an audit of Valley Heating & Air Conditioning, Inc.'s wage, payroll, and personnel records for the period of June 1, 1985 through November 21, 1989, within twenty (20) days of the date this Order becomes final; and it is

FURTHER ORDERED, that defendants Schober and Ryan shall pay to plaintiffs and plaintiffs are hereby awarded attorneys' fees in the amount of \$1,090.00, and costs in the amount of \$238.20, incurred through January 19, 1990, as well as any additional reasonable attorneys' fees and costs incurred thereafter in connection with this case until this judgment has been executed; and it is

FURTHER ORDERED, that if defendants Schober and Ryan fail to comply with any of the terms of this Order, plaintiffs may, in addition to pursuing the remedies provided under Rule 69 of the

A True Copy, Teste:  
Doris R. Casey, Clerk

- 2 -

*By Ryan M. Gault*  
Deputy Clerk

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Federal Rules of Civil Procedure, reopen this case upon motion to this Court and notice to defendants Schober and Ryan, and may at that time ask for further appropriate monetary and/or injunctive relief.

CVB.1  
United States Judge

A True Copy, Teste:  
Doris R. Casey, Clerk

By Theresa McElroy  
Deputy Clerk

A True Copy, Teste:  
Doris R. Casey, Clerk

By Regina M. Uch  
Deputy Clerk

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Last Known Address of James P. Ryan:

8885 Elm, Hinsdale, Illinois 60521

## LEGAL DESCRIPTION

That part of the Northeast Quarter of Section 6, Township 37 North, Range 12 East of the Third Principal Meridian, described as follows:

Commencing at the Northwest corner of Lot 6 in Pantke's Subdivision of part of the Northeast Quarter of said Section 6 according to the Plat recorded August 9, 1939 as Document No. 12352515 in Book 329 of Plat 1, Page 18 and running thence South along the West line of said Lot 6 in Pantke's Subdivision to the Northwest corner of Lot 7 in said Pantke's Subdivision thence West along a line parallel with the North line of Lot 11 in said Pantke's Subdivision, a distance of 255.70 feet to the center line of 114th Avenue, thence North a distance of 170.35 feet to a point which is 255.70 feet West of the Northwest corner of Lot 6 in said Pantke's Subdivision thence East 255.70 feet to the place of beginning in Cook County, Illinois.

P.P. #23-06-200-051

This instrument prepared by & mail to:

MANETTI & GRIFFITH, LTD.  
2311 W. 22nd Street  
Suite 217  
Oak Brook, Illinois 60521

/ls/H:RE:RYANLGL/100691.2

03304327

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IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said County, at Chicago, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

NOTED AND APPROVED:

\_\_\_\_\_  
Clerk of Cook County

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COOK COUNTY CLERK'S OFFICE

111 N. WABASH ST., CHICAGO, ILL. 60601  
TEL. 312.743.3000  
WWW.COOKCOUNTYCLERK.COM

COOK COUNTY CLERK'S OFFICE

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