

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS DIVISION

EMPLOYERS & CEMENT MASONS)
LOCAL #90 HEALTH & WELFARE)
FUND and EMPLOYERS & CEMENT)
MASONS LOCAL 90 PENSION TRUST)
FUND, CEMENT MASONS JOINT)
APPRENTICESHIP & TRAINING FUND,))
SOUTHWESTERN ILLINOIS)
CONSTRUCTION ADVANCEMENT)
PROGRAM, and OPERATIVE)
PLASTERERS AND CEMENT MASONS))
INTERNATIONAL ASSOCIATION)
LOCAL UNION No. 90,)
)
Plaintiffs,)
)
-v-)
)
W. C. BEISER CONCRETE COMPANY)
INC.,)
)
Defendant.)

Case No.: 10-668-DRH

DEFAULT JUDGMENT

THIS CAUSE comes before the Court on Plaintiffs' Motion for Default Judgment against the Defendant, W. C. BEISER CONCRETE COMPANY, INC., and the Court being advised in the premises, and the Defendant having failed to answer the Complaint filed herein in a timely fashion, a default judgment is awarded in favor of the Plaintiffs and against the Defendant, W. C. BEISER CONCRETE COMPANY, INC., as follows:

A. That judgment is entered in favor of Plaintiffs, EMPLOYERS & CEMENT MASONS LOCAL #90 HEALTH & WELFARE FUND and EMPLOYERS & CEMENT

MASONS LOCAL 90 PENSION TRUST FUND, CEMENT MASONS JOINT APPRENTICESHIP & TRAINING FUND, SOUTHWESTERN ILLINOIS CONSTRUCTION ADVANCEMENT PROGRAM, and OPERATIVE PLASTERERS AND CEMENT MASONS INTERNATIONAL ASSOCIATION LOCAL UNION No. 90 and against Defendant, W. C. BEISER CONCRETE COMPANY, INC., in the amount of \$20,573.44, which consists of delinquent contributions of \$15,293.70, liquidated damages of \$3,058.74 and Plaintiff's attorneys' fees and costs in the amount of \$2,221.00 as provided by ERISA (29 U.S.C. Section 1132(g)(2));

B. Defendants are ordered to perform and continue to perform all of their obligations to the Plaintiffs; and

C. Plaintiffs are awarded, at Defendant's cost, such further and other relief as may be available under ERISA, the applicable labor agreements or as is otherwise just and equitable.

Entered this 5th day of January, 2011

By:   David R. Herndon
2011.01.05
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Chief Judge
United States District Court