

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**IRONWORKERS ST. LOUIS DISTRICT COUNCIL
PENSION, WELFARE, AND ANNUITY FUNDS
and IRONWORKERS LOCALS 46, 392, and 577,**

Plaintiffs,

vs.

No. 14-918-DRH

ROGER SELLE d/b/a R & S CONSTRUCTION,

Defendant.

ORDER

Now before the Court is plaintiffs' amended motion for default judgment and an accounting (Doc. 10). After reviewing the record, the Court finds that the complaint has been filed and served upon defendant, ROGER SELLE d/b/a R & S CONSTRUCTION and that defendant has failed to answer or otherwise plead within the statutory time frame. Thus, the Court GRANTS the motion and AWARDS default judgment against defendant, ROGER SELLE d/b/a R & S CONSTRUCTION as follows:

A. That defendant, ROGER SELLE d/b/a R & S CONSTRUCTION, is ordered to produce necessary records for a payroll examination for the period of August 1, 2013, to current;


B. That judgment be entered in favor of plaintiffs, IRONWORKERS ST. LOUIS DISTRICT COUNCIL PENSION, WELFARE, AND ANNUITY FUNDS and IRONWORKERS LOCALS 46, 392, and 577, and against defendant, ROGER SELLE d/b/a R & S CONSTRUCTION, for unpaid fringe benefit contributions for

the period from August 1, 2013 to current, as well as liquidated damages, interest and audit costs as determined by the payroll examination;

C. That defendant, ROGER SELLE d/b/a R & S CONSTRUCTION, be ordered to pay \$1,471.500 in reasonable attorney's fees and costs to plaintiffs as authorized by ERISA (29 U.S.C. §1132(g)(2)) and plaintiffs' Trust Agreements.

D. That plaintiffs are granted leave to file supplemental proofs for 1) delinquent fringe benefit contributions, dues, and assessments identified by a payroll examination; 2) liquidated damages and interest related to delinquent fringe benefit contributions identified by a payroll examination; 3) costs incurred for a payroll examination; and 4) attorney's fees incurred subsequent to September 30, 2014.

ENTERED this 30th day of October, 2014.


David R.
Herndon
2014.10.30
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United States District Court