

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

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|------------------------------------|---|---------------------------------|
| MICHAEL J. SHORT, TRUSTEE, et. al. |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | CAUSE NO.: 1:09-cv-0618-SEB-DML |
| |) | |
| HARTWIG & SPAGNA CONCRETE, INC. |) | |
| |) | |
| Defendant. |) | |

ORDER ON PRELIMINARY INJUNCTION

This matter is before the Court on the Motion for Preliminary Injunction as filed by Plaintiffs, which Motion is in the following words and phrases, to-wit:

(H.I.)

And the Court, being duly advised in the premises, and having made certain findings of fact and conclusions of law as to the Motion, which it files herewith, hereby GRANTS said Motion.

IT IS HEREBY ORDERED that Defendant, Hartwig & Spagna Concrete, Inc., is PRELIMINARILY ENJOINED as follows:

Defendant, Hartwig & Spagna Concrete, Inc., its agents, servants, employees, and all persons in active counsel and in participation with it, are preliminarily enjoined from failing and/or refusing to make timely payment of monies due Plaintiff Funds on behalf of all of Defendant's employees for whom contributions are required under the aforementioned collective bargaining agreements, beginning with the contributions for work performed in

the month of June, 2009. All future contributions will be paid on or before their due date on the basis specified in any collective bargaining agreement between the LIUNA, Indiana District Council, and the Defendant.

The hearing on Plaintiff's Motion for Preliminary Injunction, previously scheduled for Tuesday, July 7, 2009, is VACATED.

Date: 07/02/2009



SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

Copies to:

Frederick W. Dennerline, III
FILLENWARTH DENNERLINE GROTH & TOWE, LLP
Suite 200, 429 E. Vermont Street
Indianapolis, Indiana 46202
E-mail: fdennerline@fdgtlaborlaw.com

David C. Appel
2621 Chicago Street, Unit B
Valparaiso, IN 46383
E-mail: AttyDCA@aol.com

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