

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

TRUSTEES OF THE NATIONAL
ELEVATOR INDUSTRY PENSION PLAN, ET AL.

MISCELLANEOUS ACTION

v.

NO. 13-MC-2408

AAA ELEVATOR, LLC, ET AL.

SECTION "F"

ORDER AND REASONS

Local Rule 7.5 of the Eastern District of Louisiana requires that memoranda in opposition to a motion be filed eight days prior to the noticed submission date. No memoranda in opposition to the plaintiffs' motion for costs of collection and attorney fees, noticed for submission on November 20, 2019, has been submitted.

Accordingly, because the motion is unopposed, and further, it appearing to the Court that the motion has merit,¹ IT IS ORDERED:

¹ The plaintiffs seek to recover additional costs and attorney fees accrued in connection with collection efforts undertaken to execute the foreign judgment in this case. In their efforts to collect the amounts owed under the default judgment, since reopening the matter on June 29, 2017, the plaintiffs represent that they have accrued \$35,786.63 in attorney fees, expenses, and costs. They submit that the Court may exercise its discretion to award these additional attorney fees and costs, which are recoverable under ERISA. The defendants have not responded and therefore do not contest either whether fees are recoverable nor the support offered for the amount requested. The plaintiffs' application is supported by sworn evidence and billing documents detailing the

the plaintiffs' motion for costs of collection and attorney fees is hereby GRANTED as unopposed. IT IS FURTHER ORDERED: that the plaintiffs are hereby awarded attorney fees, expenses, and costs in the amount of \$35,786.63, the amount incurred by the plaintiffs in connection with the execution of the judgment.

New Orleans, Louisiana, November 21, 2019


MARTIN L. C. FELDMAN
UNITED STATES DISTRICT JUDGE

amount requested and the Court finds that the plaintiffs may recover \$35,786.63.