

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

FILED  
U.S. DIST. COURT  
MIDDLE DIST. OF LA.

2011 OCT -3 P 2:20

PETITION OF ROBERT CHATERLAIN,  
ET AL

BY DEPT. 7-11-11

VERSUS

CIVIL ACTION

RICHARD LLOYD, ET AL

NO. 08-400-C

**RULING**

The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger dated September 29, 2009. Defendants have filed an objection which the court has considered.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein.

Accordingly, the Motion for Summary Judgment on Behalf of Employer Trustees of the Sheet Metal Workers' International Association, Local Union No. 21, Welfare Trust Fund is granted, and the defendants' Motion for Summary Judgment is denied.

Further, the parties shall submit, within ten days, a person to serve as the impartial umpire, or failing to do so, the plaintiff group and the defendant group each will be permitted to recommend to the Court up to three persons who are willing to serve as

the impartial umpire.

Baton Rouge, Louisiana, November 3, 2009.



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RALPH E. TYSON, CHIEF JUDGE  
MIDDLE DISTRICT OF LOUISIANA