

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

TRUSTEES OF THE HEATING, PIPING
& REFRIGERATION PENSION FUND, *et al.* *

Plaintiffs, *

v. *

CIVIL NO. JKB-17-3690

CLEAN AIR MECHANICAL, INC., *et al.*, *

Defendants. *

* * * * *

MEMORANDUM AND ORDER

The Court incorporates herein the prior record in this matter, including the various orders issued by this Court in an ongoing attempt to compel Defendants' compliance with post-judgment obligations. As relevant here, the Court entered judgment in favor of Plaintiffs against Clean Air Mechanical, Inc., Clean Air Building Services, LLC. ("CABS"), James Hardesty, and Diane Hardesty in the amount of \$423,286.30. (ECF No. 82.) The Court previously issued a Writ of Garnishment for Wages to CABS for the wages of James Hardesty. (ECF No. 216.) On August 29, 2023, Plaintiffs filed a Status Report indicating that they had received two garnishment checks, one on July 22, 2022 and one on February 24, 2023, but that neither had cleared. (ECF No. 255.) Plaintiffs also explained that they deposed James Hardesty on May 16, 2023 and that he testified that he is paid \$1,200 per week after tax. (*Id.*)

The Court has separately directed a process to ensure Diane Hardesty's compliance with this Court's Orders with respect to the garnishment of James Hardesty's wages. In addition to that process, James Hardesty will be directed to remit to Plaintiffs an amount representing \$1,250 per

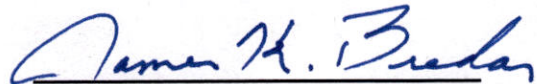
month dating back to May 16, 2023 to October 10, 2023, for a total sum of \$5,967.74.¹ On or before October 20, 2023, he must remit that payment to Plaintiffs. To the extent he is unable to pay that amount, he shall show cause on or before October 20, 2023 why he cannot pay that amount.

Accordingly, it is ORDERED that:

1. James Hardesty SHALL REMIT \$5,967.74 to Plaintiffs by October 20, 2023;
2. To this extent he is unable to make such payment in full, James Hardesty SHALL SHOW CAUSE by October 20, 2023 why he cannot do so;
3. Plaintiffs are DIRECTED to file a STATUS REPORT by October 23, 2023 reporting the status of any payment;
4. Plaintiffs are DIRECTED to serve James Hardesty with a copy of this Order, and such service must be accomplished either by United States Mail return receipt requested with James Hardesty's signature appearing on the receipt or by process server or personally by counsel; and
5. The Clerk is DIRECTED to mail a copy of this Order to James Hardesty.

DATED this 11 day of October, 2023.

BY THE COURT:



James K. Bredar
Chief Judge

¹ This amount represents \$1,250 per month for June 10, 2023 to October 10, 2023 and \$967.74, which represents the prorated amount for May 16, 2023 to June 9, 2023 (\$1,250 divided by 31 and multiplied by 24).