

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

THE TRUSTEES OF THE TILE, MARBLE & TERRAZZO INSURANCE TRUST FUND; TILE, TERRAZZO & MARBLE INDUSTRY PENSION FUND; TILE, TERRAZZO & MARBLE INDUSTRY DEFINED CONTRIBUTION PENSION FUND; TILE, TERRAZZO & MARBLE INDUSTRY JOINT TRAINING FUND; LABOR MANAGEMENT FUND; and the TILE, TERRAZZO & MARBLE INDUSTRY VACATION AND HOLIDAY FUND,

Plaintiffs,

v.

Case No. 2:13-cv-12518
Hon. Robert H. Cleland

TERRA BELLA TERRAZZO & MOSAIC, INC., a Michigan corporation and DONALD M. KRAFT, an individual, jointly and severally.

Defendants.

NOVARA TESIJA, P.L.L.C.
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CONSENT JUDGMENT

At a session of said Court, held in the City
of Detroit, County of Wayne, State of Michigan,

ON: June 3, 2016

PRESENT: HON. ROBERT H. CLELAND
U.S. District Court Judge

This matter has come before the Court on Plaintiffs' Affidavit of Non-Compliance. As the Court is fully advised of the circumstances surrounding this matter and Plaintiffs request for entry of this Consent Judgment, the Court accordingly finds as follows:

1. The parties entered into a Settlement Agreement, on May 13, 2014.


2. The Settlement Agreement provides that if an event of default occurs and goes uncured within the provided cure period, the parties agreed to the entry of this Consent Judgment by the Plaintiffs as provided in the Settlement Agreement.

3. As evidenced by the Plaintiffs' affidavit of non-compliance, an event of default has occurred and has not been cured within the requisite time period. Wherefore, Plaintiffs are entitled to entry of this Consent Judgment.


NOW, THEREFORE, IT IS HEREBY ORDERED that Plaintiffs shall have judgment against Terra Bella Terrazzo & Mosaic, Inc., a Michigan corporation, and Donald M. Kraft, personally, jointly and severally, in the amount of \$26,234.26 as detailed in the Settlement Agreement (less any payments made by Defendants pursuant to the Settlement Agreement) and Plaintiffs are further awarded the following, to be calculated and reflected in a Final Judgment to be entered: interest on the full unpaid balance, costs and Plaintiffs' attorney fees incurred in this matter, as well as all judgment expenses.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter, pending the satisfaction of this Judgment and/or compliance with any additional orders.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

By: 
Paul O. Catenacci (P63054)
NOVARA TESIJA, P.L.L.C.
Attorneys for Plaintiffs
2000 Town Center, Suite 2370
Southfield, MI 48075-1314

TERRA BELLA TERRAZZO
& MOSAIC, INC.

By: 
Its: President

DONALD M. KRAFT, personally

Dated: June 3, 2016

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, June 3, 2016, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

approved as to form and content: