

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

JEFF SEIPEL and TOM VEVEA, as
Trustees of the Minnesota Laborers Health
and Welfare Fund and Minnesota Laborers
Pension Fund; JAMES BRADY and
KEITH KRAMER, as Trustees of the
Minnesota Laborers Vacation Fund;
TOM VEVEA and GARY REED, as
Trustees of the Construction Laborers'
Education, Training and Apprenticeship
Fund of Minnesota and North Dakota; and
RONALD THORNBURG and
CHRIS BORN, as Trustees of the
Minnesota Laborers Employers
Cooperation and Education Trust; and each
of their successors,

Civil No. 08-6237 (JRT/AJB)

Plaintiffs,

v.

MARSDEN BLDG MAINTENANCE,
LLC,

Defendant and Third-Party Plaintiff,

v.

ARISTEO SERVICES, LLC, a/k/a Aristeo
Construction, and SERVICE
EMPLOYEES INTERNATIONAL
UNION, LOCAL 26,

Third-Party Defendants.

Henry Helgen, Pamela Hodges Nissen, Natalie Woodward Kohner,
ANDERSON, HELGEN, DAVIS & NISSEN, LLC, 150 South Fifth
Street, Suite 3100, Minneapolis, MN 55402, for plaintiffs.

Mark J. Girouard and Matthew E. Damon, **NILAN JOHNSON LEWIS,
P.A.**, 120 South Sixth Street, Suite 400, Minneapolis, MN 55402, for
defendant and third-party plaintiff Marsden Bldg Maintenance, LLC.

ORDER

Michael G. Latiff, **BUTZEL LONG**, 150 West Jefferson Ave., Suite 100, Detroit, MI 48226, and Gregory J. Stenmoe, **BRIGGS AND MORGAN, P.A.**, 2200 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402, for third-party defendant Aristeo Services.

Richard L. Kaspari, **METCALF, KASPARI, ENGDAHL & LAZARUS, P.A.**, 1660 South Highway 100, Suite 333, Minneapolis, MN 55416, for third-party defendant Service Employees International Union, Local 26.

On October 20, 2010, the Court took under advisement defendant Marsden Bldg Maintenance, LLC 's motion for summary judgment, third party defendant Aristeo Services, LLC's motion for summary judgment, and third party defendant Service Employees International Union's motion to dismiss. At argument and in the briefing, Marsden acknowledged its willingness to accede to plaintiffs' demand for \$91,316.95, plus liquidated damages and interest, for unpaid contributions for work performed at sites other than the Ford Plant in St. Paul, Minnesota.

The Court orders plaintiffs and Marsden to contact the Magistrate Judge Boylan to schedule a settlement conference to resolve any remaining dispute regarding unpaid contributions for work performed by Marsden employees outside the Ford Plant.

DATED: October 26, 2010
at Minneapolis, Minnesota.

 s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge