

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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TWIN CITY PIPE TRADES SERVICE  
ASSOCIATION, INC.,

Civil No. 10-3465 (JRT/JSM)

Plaintiff,

v.

**ORDER**

FORTE MECHANICAL, INC.

Defendant.

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William Cumming, **HESSIAN & MCKASY, PA**, 4000 Campbell Mithun Tower, 222 South Ninth Street, Minneapolis, MN 55402, for plaintiff.

This matter came before the Court on November 2, 2010, on Plaintiff's Motion for Default Judgment against Defendant Forte Mechanical, Inc [Docket No. 6]. William A. Cumming appeared for Plaintiff. No appearance was made for Defendant.

Based on all of the files, records, and proceedings in this matter, and being fully advised in the premises,

**IT IS HEREBY ORDERED** that Plaintiff Twin City Pipe Trades Service Association, Inc. have and recover from Defendant Fore Mechanical Services, Inc., the sum of \$49,280.56 representing:

1. \$41,676.00 in unpaid fringe benefits contributions,
2. \$4,972.90 for liquidated damages due,

- 3      \$364.66 in interest through September 30, 2010, and
4.      \$2,268.00 for reasonable costs and attorney's fees.

**IT IS FURTHER ORDERED** that Defendant Forte Mechanical, Inc. is enjoined and required to post a bond in favor of Plaintiff Twin City Pipe Trades Service Association, Inc., as approved by the Service Association Board, or deposit cash, in the amount of \$31,200.00 conditioned and sufficient to pay all the benefit payments due for a period of at least three (3) months in advance.

**IT IS FURTHER ORDERED** that Defendant Forte Mechanical, Inc. is enjoined and required to make its benefit contribution payments once a week not later than three (3) working days (excluding Saturdays, Sundays, and holidays) after the close of the weekly period for which contributions are due.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 2, 2010  
at Minneapolis, Minnesota

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