

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

THOMAS E. PEREZ,)	
Secretary of Labor,)	CIVIL ACTION NO.
United States Department of Labor,)	
)	5:12-CV-52-DCB-RHW
Plaintiff,)	
)	
v.)	
)	
RICHARD THOMPSON, an Individual; and)	
THOMPSON TREE AND SPRAYING)	
SERVICE, INC., d/b/a LIVE OAKS NURSERY,)	
)	
Defendants.)	

ORDER

This cause is before the Court on Plaintiff’s motion for adjudication of civil contempt (docket entry 33) and Plaintiff’s response to the Court’s February 10, 2015 Order (“February 10, 2015 Order”) (docket entry 38). Having carefully considered Plaintiff’s motion and response and the applicable case law, the Court finds as follows:

On January 27, 2014, the Court entered a Consent Judgment requiring Defendants to pay back wages of \$23,717.41 plus liquidated damages of \$11,858.85, in the total amount of \$35,576.26 to 69 employees of defendants by March 14, 2014. Defendants only paid \$10,000.00 of the aforesaid judgment by March 14, 2014, leaving a balance due of \$25,576.26. To date, defendants have paid \$35,576.26. In the February 10, 2015 Order, the Court found that Defendants did not comply with the January 27, 2014 Consent Judgment and, are, therefore in contempt.

Accordingly,

IT IS HEREBY ORDERED that:

1. Defendants pay post judgment interest in the amount of \$3,027.11, in accordance with 28 U.S.C. § 1961;
2. Defendants reimburse Plaintiff \$2,000.00 for his cost, fees, and expenses incurred in bringing Defendants' contemptuous conduct before the Court; and
3. Should Defendants fail to pay the total amount of \$5,027.11 (post judgment interest and costs, fees, and expenses) within seven days from the date of the filing of this Order, Defendants shall pay a daily fine of \$5,000.00 for each day that Defendants remain in contempt.

SO ORDERED this 4th day of March, 2015.

s/David Bramlette
DAVID C. BRAMLETTE, III
UNITED STATES DISTRICT JUDGE