

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

PAINTERS DISTRICT COUNCIL )  
NO. 58, et al., )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
ARCHITECTURAL PAINTING )  
SERVICES, INC., et al., )  
 )  
Defendants. )

Case No. 4:16 CV 41 RWS

**ORDER**

Plaintiffs filed this suit to collect unpaid benefit contributions, union dues, interest, liquidated damages, attorneys’ fees, and costs under Section 301 of the Labor Management Relations Act (LMRA), 29 U.S.C. § 185, and Section 502 of the Employee Retirement Income Security Act (ERISA), 29 U.S.C. § 1132. I held a non-jury trial in this matter on November 3, 2016. Before I can enter judgment in this matter, Plaintiffs must supplement the record with a declaration or other appropriate documentation that concisely indicates how they calculated each category of damages they request, identifies the legal basis (including statute/section and contract provision, as appropriate) for each amount requested, and clarifies the following issues: (1) whether they are still seeking both unpaid benefit contributions under ERISA and union dues under LMRA and, if so, which requested amounts of principal contributions and liquidated damages are attributable to which claims; (2) whether their requests for liquidated damages include requests for interest and, if so, how they calculated interest; and (3) whether the \$4,073.12 they request in liquidated damages on late received principal amounts from January 6,


2013 to March 6, 2016 overlaps with the liquidated damages they received in Case No. 4:12 CV 2379 JCH (E.D. Mo.).

I will give Plaintiffs 14 days from the date of this order to supplement the record by filing a declaration or other appropriate documentation detailing the recovery they request in a manner that addresses these issues. If Defendants wish to respond, they may so do within 10 days of Plaintiffs' filing and make any objections to Plaintiffs' calculations. **No extensions of time will be granted for these filings**, and this order does not grant the parties leave to address any other issues than those specifically noted.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiffs must supplement the record to clarify the recovery they seek, as detailed in this order. Plaintiffs' supplement must be filed no later than **March 10, 2017**.

**IT IS FURTHER ORDERED** that Defendants may file a response to Plaintiffs' supplement no later than **March 20, 2017**.

  
\_\_\_\_\_  
RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 24th day of February, 2017.