UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

SANDY WILLIAMS,

Plaintiff,

v.

NJ CARPENTERS FUNDS et. al,
Defendants.

CIVIL NO. 1:13-cv-4071
(NLH/AMD)

MEMORANDUM OPINION & ORDER

Appearances:

SANDY WILLIAMS
5535 RIDGEWOOD STREET
PHILADELPHIA, PA 19143
Pro se plaintiff

SETH PTASIEWICZ
KROLL, HEINEMAN CARTON LLC
99 WOOD AVENUE SOUTH, SUITE 307
ISELIN, NJ 08830
Attorney for defendants NJ Carpenters Funds and United Brotherhood of Carpenters and Joiners of America Local Union 02

HILLMAN, District Judge

This matter having been raised before the Court by way of defendants' motion for summary judgment on plaintiff's claim that his Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. §§ 1001-1461, benefits plan failed to pay for plan-covered medical treatment, in violation of ERISA § 502(a)(1)(B); and

The Court having initially denied defendants' prior motion for summary judgment because the evidence in the record was not clear as to when plaintiff incurred his medical expenses and

whether the plan failed to pay for those expenses to which plaintiff was entitled; and

The Court having heard oral argument, and the Court having ordered the submission of supplemental briefing and evidence; and

Defendants having now renewed their motion for judgment in their favor because the undisputed documentary evidence shows that no outstanding benefits are due to plaintiff or his medical providers for the period of time that plaintiff was covered under the plan; and

Plaintiff having not opposed defendants' renewed motion or otherwise disputed the evidence showing that no outstanding benefits are due to plaintiff or his medical providers; and

The Court, having considered all the evidence in the record, now finding that no disputed issues of fact remain as to plaintiff's claim that defendants violated § 502(a)(1)(B) of ERISA; and

The Court further finding that plaintiff has not presented any evidence to show that unpaid medical bills exist for the time plaintiff was covered under defendants' ERISA health benefits plan;

Consequently,

IT IS on this 28th day of April, 2015

ORDERED that defendants' motion for summary judgment [13] be, and hereby same is, GRANTED; and it is further

ORDERED that the Clerk of the Court shall mark this matter as CLOSED.

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.

At Camden, New Jersey