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**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF NEW JERSEY**

TEAMSTERS HEALTH AND WELFARE	:	CIVIL ACTION
FUND OF PHILADELPHIA AND VICINITY, et	:	
al.,	:	No. 14-cv-02693-JEI-AMD
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
ACME MARKETS, INC., a SuperValu Company	:	
	:	
Defendant	:	

ORDER OF DEFAULT JUDGMENT

Upon consideration of the Complaint and Motion for Entry of Judgment by Default of the Plaintiffs Teamsters Health and Welfare Fund of Philadelphia and Vicinity ("Welfare Fund"), Teamsters Pension Trust Fund of Philadelphia and Vicinity ("Pension Fund" or collectively "Funds") and William J. Einhorn, it appears to the Court that Defendant Acme Markets, Inc. ("Defendant") was served with process on June 26, 2014 and has inexcusably, knowingly and willfully failed to appear, plead or otherwise defend, and the default against said Defendant having been entered, it is ORDERED:

- Judgment is hereby entered against the Defendant and in favor of the Plaintiffs in the amount of Forty-Five Thousand, Nine Hundred Forty-Seven Dollars and Thirty-Eight Cents (\$45,947.38) to the Funds as itemized below:

(a) Unpaid Health and Welfare Fund contributions in the amount of Sixteen Thousand, Four Hundred Seventy-Seven Dollars and Nine Cents (\$16,477.09).

(b) Liquidated damages consisted of 10% of the Health and Welfare Fund contributions owed, \$1,647.71, pursuant to ERISA, 29 U.S.C. §1132(g)(2) and the Funds' Trust Agreements.

(c) Pension Fund contributions in the amount of Twenty-One Thousand, Seven Hundred Thirty-Nine Dollars and Twenty-Six Cents (\$21,739.26).

(d) Liquidated damages consisted of 10% of the Pension Fund contributions owed, \$2,173.93, pursuant to ERISA, 29 U.S.C. §1132(g)(2) and the Funds' Trust Agreements.

(e) Interest accrued through July 18, 2014 on the contribution amounts set forth in Paragraph 1(a) and 1(c) as provided by 29 U.S.C. §1132(g)(2)(B) and 26 U.S.C. §6621 in the amount of Nine Hundred and Two Dollars and Forty-One Cents (\$902.41) which consist of \$391.73 in interest owed the H&W Fund and \$510.68 owed the Pension Fund. The Funds' contribution amounts set forth in Paragraph 1(a) and 1(c) shall continue to bear interest as provided in 29 U.S.C. §1132(g)(2)(B) and 26 U.S.C. §6621, as from time to time amended, until the date of actual payment.

(f) Attorneys' fees incurred by the Funds in this matter in the amount of Two Thousand, Two Hundred Seventy-Five Dollars and Zero Cents (\$2,275.00) through July 21, 2014.


(g) Litigation costs incurred by the Funds in this matter through July 21, 2014, 2014, in the amount of Seven Hundred Thirty-One Dollars and Ninety-Eight Cents (\$731.98).

2. The Funds are awarded reimbursement of all additional attorneys' fees and costs it incurs in the collection and enforcement of this judgment.

3. This Order and Judgment is enforceable, without duplication, by the Funds, or its agents.

4. An appropriate Judgment form accompanies this Order.

BY THE COURT:


A handwritten signature in blue ink, appearing to read "Joseph E. Irenas", is written over a horizontal line.

JOSEPH E. IRENAS, S.U.S.D. J.

9/23/14