

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LABORERS' LOCAL UNION NOS. 472 &
172; LABORERS' LOCAL UNION NOS.
472 & 172 WELFARE AND PENSION
FUNDS AND SAFETY, EDUCATION
AND TRAINING FUNDS; ZAZZALI,
FAGELLA, NOWAK, KLEINBAU &
FRIEDMAN, P.A.,

Petitioners,

v.

HIGHWAY SAFETY SYSTEMS,

Respondent.

Civ. No. 12-6990

OPINION

THOMPSON, U.S.D.J.

This matter has come before the Court on a Motion to Confirm the Arbitration Award brought by Petitioners Laborers' Local Union Nos. 472 & 172; Laborers' Local Union Nos. 472 & 172 Welfare and Pension Funds and Safety, Education and Training Funds; and Zazzali, Fagella, Nowak, Kleinbaum & Friedman, P.A. [Docket # 2]. This motion is unopposed by Respondent Highway Safety Systems. The Court has decided this matter after considering the parties' written submissions and without holding oral argument pursuant to Federal Rule of Civil Procedure 78(b).

Upon review of the submitted materials, this Court finds that Respondent is bound by a collective bargaining agreement ("CBA") with Petitioner Laborer's Local Union Nos. 472 & 172 Benefit Funds ("Funds"). [1, Petition to Confirm Arbitration Award at ¶ 2]. Under the CBA, controversies concerning delinquent payments to the Funds are submitted to arbitration. [*Id.* at ¶

3]. Respondent was delinquent in making required payments under the CBA. [*Id.*, Ex. B]. After due notice to Respondent, the arbitrator held a hearing on July 26, 2012, and issued a written award dated that same day. [*Id.* at ¶ 4].

Pursuant to 9 U.S.C. § 9, this Court has jurisdiction to enforce the awards of arbitrators. Having considered the written submissions of Petitioners; and in light of Respondent's failure to oppose the motion; and for good cause shown, the Court grants Petitioners' Motion to Confirm the Arbitration Award. An appropriate order accompanies this opinion.

/s/Anne E. Thompson
ANNE E. THOMPSON, U.S.D.J.

Date: December 7, 2012