

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**FILED**  
IN CLERK'S OFFICE  
US DISTRICT COURT E.D.N.Y.

★ JUN 25 2015 ★

BROOKLYN OFFICE

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**TRUSTEES OF EMPIRE STATE** :  
**CARPENTERS ANNUITY,** :  
**APPRENTICESHIP, LABOR-** :  
**MANAGEMENT COOPERATION,** :  
**PENSION and WELFARE FUNDS,** :  
  
**Plaintiff,** :  
  
**-against-** :  
  
**J. CARERI CONSTRUCTION CO., LLC,** :  
  
**Defendant.** :  
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**MEMORANDUM & ORDER**

**14-CV-3325 (ENV)(RER)**

**VITALIANO, D.J.**

**On January 21, 2015, plaintiff Trustees of Empire State Carpenters Annuity, Apprenticeship, Labor-management Cooperation, Pension and Welfare Funds moved for default judgment against J. Careri Construction Co., LLC. The action was commenced on May 29, 2014 for damages arising out of defendant's failure to comply with a collective bargaining agreement.**

**Defendant was served with the summons and complaint on July 16, 2014 by service on Joe Careri, the owner of J. Careri Construction. Defendant has not responded to the complaint, and the deadline to do so has long expired.**

**The Clerk of Court entered a notation of default against defendant on**

**August 26, 2014.**

**As originally filed, plaintiff's motion was incomplete in one respect: it failed to include a memorandum of law, pursuant to Local Civil Rule 7.1(a)(2). However, plaintiff corrected this deficiency and renewed the motion on June 18, 2015. Defendants have, at no time since January 21, 2015, responded to this motion. Accordingly, plaintiff's motion for a default judgment is granted and this matter is respectfully referred to Magistrate Judge Ramon E. Reyes for an inquest to determine damages and to make a report and recommendation with respect to his findings.**

**So Ordered.**

**Dated: Brooklyn, New York  
June 21, 2015**

s/Eric Vitaliano

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**ERIC N. VITALIANO  
United States District Judge**