

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
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U.S. DISTRICT COURT E.D.N.Y.
★ AUG 25 2014 ★
LONG ISLAND OFFICE

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WILLIAM K. DUFFY, et al.,

Plaintiffs,

-against-

ORDER
07 CV 217 (DRH) (ARL)

EAST PORT EXCAVATION & UTILITIES
CONTRACTORS, INC., et al.,

Defendants.

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HURLEY, Senior District Judge:

Plaintiffs, the trustees of the Local 138, 138A & 138B, International Union of Operating Engineers Welfare Fund, Legal Fund, Apprenticeship Training Fund, and Annuity Fund, and Michael Fanning, CEO of the Central Pension Fund (collectively the “plaintiffs”) commenced this action pursuant to Sections 515 and 502(a)(3) of the Employee Retirement Income Security Act (“ERISA”), alleging that defendants East Port Excavation & Utilities Contractors, Inc., Eastport Manor Construction, Inc. and Steven Governale (collectively “defendants”) violated their statutory and contractual obligations to make contributions to the various plaintiffs’ funds. Following a bench trial held on June 6, 7, and 20, 2011, by Memorandum and Order dated September 19, 2013, the Court found the defendants jointly and severally liable for contributions not made to plaintiffs for the period June 1, 2000 to December 31, 2009. As part of that Order, the Court directed plaintiffs to submit an affidavit on or before November 8, 2013 in support of their request for attorneys’ fees and costs and directed defendants to file any opposition by December 6, 2013. Plaintiffs filed an affidavit in support on November 8, 2013, and defendants did not file any opposition.

On March 3, 2014, the Court referred the plaintiffs’ motion for attorneys’ fees to

