## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

JOSEPH A. FERRARA, SR., FRANK H. FINKEL, MARC HERBST, DENISE RICHARDSON, THOMAS F. CORBETT, ANTHONY D'AQUILA, THOMAS GESUALDI, LOUIS BISIGNANO, DOMINICK MARROCCO, and ANTHONY PIROZZI, as Trustees and Fiduciaries of the Local 282 Welfare Trust Fund, the Local 282 Annuity Trust Fund, the Local 282 Job Training Trust Fund, and the Local 282 Vacation and Sick Leave Trust Fund,

JUDGMENT CV-10-5905 (ADS)(ETB)

Plaintiffs,

- against -

CMR CONTRACTING LLC, and LTU INDUSTRIES INC. a/k/a LTU INDUSTRY INC.,

Defendants.	
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An Order of Honorable Arthur D. Spatt, United States District Judge, having been filed on February 23, 2012, adopting in its entirety the January 20, 2012 Report and Recommendation of Magistrate Judge E. Thomas Boyle; awarding plaintiffs damages with respect to CMR Contracting LLC as follows: (1) \$172,569.92 in unpaid employee benefit contributions; (2) \$115,987.36 in interest, with additional interest to be calculated at a rate of \$85.10 per day from January 20, 2012 through the date of judgment; (3) \$115,987.36 in liquidated damages, with additional liquidated damages to be calculated at a rate of \$85.10 per day from January 20, 2012 through the date of judgment; (4) audit fees in the amount of \$700.00; (5) \$9,618.00 in attorney's fees; and (6) \$2,115.68 in costs, for a total monetary award of \$416,978.32 plus additional interest and liquidated damages; awarding plaintiffs damages with respect to LTU Industries Inc. as follows: (1) \$11,272.04 in unpaid employee benefit contributions; (2) \$5,192.60 in interest, with additional interest to be calculated at a rate of \$5.56 per day from January 20, 2012 through the date of judgment; (3) \$5,192.60 in liquidated damages, with additional liquidated damages to

be calculated at a rate of \$5.56 per day from January 20, 2012 through the date of judgment; (4)

audit fees in the amount of \$3,109.88; (4) \$8,482.00 in attorney's fees; and (6) \$2,115.68 in

costs, for a total monetary award of \$35,364.80, plus additional interest and liquidated damages;

and directing the Clerk of Court to enter judgment accordingly and to close this case, it is

ORDERED AND ADJUDGED that judgment is entered in favor of plaintiffs and

against defendants as follows: with respect to CMR Contracting LLC, (1) \$172,569.92 in unpaid

employee benefit contributions; (2) \$115,987.36 in interest, plus additional interest in the amount

of \$4,084.80; (3) \$115,987.36 in liquidated damages, plus additional liquidated damages in the

amount of \$4,084.80; (4) audit fees in the amount of \$700.00; (5) \$9,618.00 in attorney's fees;

and (6) \$2,115.68 in costs, for a total monetary award of \$425,147.92; with respect to LTU

Industries Inc.: (1) \$11,272.04 in unpaid employee benefit contributions; (2) \$5,192.60 in

interest, plus additional interest in the amount of \$266.88; (3) \$5,192.60 in liquidated damages,

plus additional liquidated damages in the amount of \$266.88; (4) audit fees in the amount of

\$3,109.88; (4) \$8,482.00 in attorney's fees; and (6) \$2,115.68 in costs, for a total monetary award

of \$35,898.56; and that this case is hereby closed.

Dated: Central Islip, New York

March 7, 2012

DOUGLAS C. PALMER

CLERK OF THE COURT

By:

/s/ Catherine Vukovich

Deputy Clerk

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