

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

DEFAULT JUDGMENT IN A CIVIL CASE

**BRICKLAYERS AND ALLIED CRAFTWORKERS
LOCAL 2, ALBANY, NEW YORK PENSION FUND,**
by its Administrator, Stephen J. O'Sick,
**BRICKLAYERS AND ALLIED CRAFTWORKERS
LOCAL 2, ALBANY, NEW YORK HEALTH
BENEFIT FUND,** by its Administrator, Stephen J.
O'Sick, **BRICKLAYERS AND ALLIED CRAFTSMEN
LOCAL 2 ANNUITY FUND,** by its Administrator,
Stephen J. O'Sick, **BRICKLAYERS AND ALLIED
CRAFTWORKERS LOCAL 2, ALBANY, NEW YORK
EDUCATION & TRAINING FUND,** by its Trustees,
Robert Mantello, Pasquale Tirino, Luke Renna,
Michael Suprenant, J.D. Gilbert, Thomas Marinello,
Todd Helfrich and Laura Regan, **BRICKLAYERS AND
TROWELTRADES INTERNATIONAL PENSION FUND,**
by David Stupar, Executive Director, **BRICKLAYERS
AND ALLIED CRAFTWORKERS LOCAL 2, ALBANY,
NEW YORK, AFL-CIO,** by Robert Mantello, President

Plaintiffs

vs.

CASE NUMBER: 1:13-CV-201 (DNH/RFT)

**MOULTON MASONRY & CONSTRUCTION,
LLC and DUANE E. MOULTON,** individually
and as an Officer of Moulton Masonry & Construction, LLC

Defendants

Decision by Court. This action came to a hearing before the Court. The issues have been heard and a decision has been rendered.

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

IT IS ORDERED AND ADJUDGED

That plaintiffs' motion for default judgment is GRANTED in its entirety. Defendants' cross-motion to vacate the entry of default is DENIED in its entirety. Default judgment is entered in favor of plaintiffs and against defendants in a total amount of \$622,135.21. This includes \$451,300.52 in fringe benefit contributions and deductions for the period of 7/1/2009 through 3/31/2013; \$104,628.81 in interest through 10/21/2013; \$99,203.93 in liquidated damages; and \$7,001.95 in attorneys' fees and costs.

All of the above pursuant to the order of the Honorable Judge David N. Hurd, dated the 2nd day of January, 2014.

DATED: January 3, 2014


Clerk of Court

s/ Nicole Killius

Deputy Clerk