

UNITED STATES DISTRICT COURT

Northern

DISTRICT OF

New York

Seth D. Harris, Acting U.S. Secretary of Labor

JUDGMENT IN A CIVIL CASE

V.

Case Number: 5:13-cv-536

David J. Hardy Construction Co., Inc. 401K Plan

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

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

IT IS ORDERED AND ADJUDGED

That Plaintiff's motion for Default Judgment is Granted; that M. Larry Lefoldt is appointed as Independent Fiduciary and further that the Independent Fiduciary Fee and Expense schedule, as submitted on February 19, 2014, is approved.

All of the above pursuant to an order entered on January 27, 2014 and February 19, 2014 by the Honorable Frederick J. Scullin, Jr.

February 19, 2014

Date

Signature of Lawrence A. Baum, Clerk of Court



(By) Deputy Clerk

Signature of Barwanj Woodford