

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

-----X
DANIEL KANE JR., CHARLES MACHADIO,
ROGER MARINO, MYRA GORDON, ANDREW ROY
and VINCENT PACIFICO as TRUSTEES OF THE
UNITED TEAMSTER FUND and as TRUSTEES
OF THE UNITED TEAMSTER PENSION FUND “A,”

Case No.: 17-cv-09487-VSB

Plaintiffs,

JUDGMENT

- vs -

NATIONAL FARM WHOLESALE FRUIT &
VEGETABLE CORP.,

Defendant.

-----X
This action, having been commenced on December 4, 2017 by Plaintiffs Daniel Kane Jr., Charles Machadio, Roger Marino, Myra Gordon, Andrew Roy and Vincent Pacifico, as Trustees of the United Teamster Pension Fund “A” (collectively, “Plaintiffs” and/or the “Pension Fund”) against Defendant National Farm Fruit & Vegetable Corp. (“Defendant” and/or “National Farm”); and Defendant having answered; and Plaintiffs having filed a motion for summary judgment against Defendant on December 6, 2019; and Defendant having filed its opposition to Plaintiffs’ summary judgment motion on January 8, 2020; and this Court having issued Decision and Order on January 14, 2022 granting Plaintiffs’ motion for summary judgment and finding that Defendant is liable to Plaintiffs for withdrawal liability in the amount of \$1,596,963.50, together with simple interest at a rate of five (5%) percent, liquidated damages equal to twenty (20%) percent of the unpaid withdrawal liability and attorneys’ fees and costs; and the Clerk having entered judgment in favor of Plaintiffs on January 18, 2022, it is,

ORDERED, ADJUDGED AND DECREED, that Plaintiffs' motion for summary judgment is GRANTED and judgment is entered in favor of Plaintiffs and against Defendant in the amount of \$1,596,963.50; and it is further,

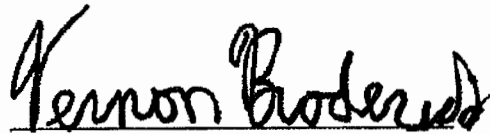
ORDERED, ADJUDGED AND DECREED, that Defendant shall pay five (5%) percent simple interest on the full amount of withdrawal liability, accruing from December 4, 2017, to the date of judgment in the amount of \$467,713.42; and it is further,

ORDERED, ADJUDGED AND DECREED, that Defendant shall pay liquidated damages equal to twenty (20%) percent of the unpaid withdrawal liability, totaling \$319,392.70; and it is further,

ORDERED, ADJUDGED AND DECREED, that Defendant shall be liable for Plaintiffs' counsel's reasonable attorneys' fees and costs in pursuing this action, totaling \$15,466.50.

IT IS SO ORDERED.

Dated: October 12, 2023
New York, New York



VERNON S. BRODERICK
United States District Judge