

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TEAMSTERS LOCAL 456 PENSION, HEALTH & WELFARE, ANNUITY, EDUCATION & TRAINING, INDUSTRY ADVANCEMENT, and LEGAL SERVICES FUNDS by Louis A. Picani, Joseph Sansone, Dominick Cassanelli, Jr., Saul Singer, Ross Pepe, and Jeffrey Isaacs as Trustees and fiduciaries of the Funds, and WESTCHESTER TEAMSTERS LOCAL UNION NO. 456,

Plaintiffs,

- against -

BLACKRIDGE CONSTRUCTION, LLC D/B/A BLACKRIDGE CONSTRUCTION LLC and JAMES CARROLL, INDIVIDUALLY,

Defendants.

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Civil Action No.
7:21-cv-01889 (CS)(JCM)

DEFAULT JUDGMENT

This action having been commenced on March 4, 2021 by the filing of the Complaint and the issuance of the Summonses; a copy of the Summons and Complaint having been served on Defendants Blackridge Construction, LLC d/b/a Blackridge Construction LLC (the "Company") on March 11 and 24, 2021 and on James Carroll, Individually ("Carroll," with the Company, the "Defendants") on March 11, 2021; and proof of service having been filed with the Clerk of Court on March 26, 2021; Defendants not having answered the Complaint; and the time for answering the Complaint having expired; said default being willful because of the failure of Defendants to answer, prejudicial to Plaintiffs in light of the statutory policy favoring the efficacious resolution of collection actions by employee benefit funds under the Employee Retirement Income Security Act of 1972, as amended ("ERISA"); and Defendants lacking a meritorious defense; it is:

Teamsters Local 456 Pension, Health & Welfare, Annuity, Ed. v. Blackridge Construction, LLC et al

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ORDERED, ADJUDGED AND DECREED that:

1. The Company is liable to Plaintiffs in the amount of \$129,347.43, broken down as follows:

- (a) \$72,912.51 in fringe benefits;
- (b) \$2,856.46 in dues deductions;
- (c) \$743.14 in interest, plus \$19.98 in per diem interest;
- (d) \$45,795.25 in liquidated damages; and
- (e) \$7,040.07 in attorney's fees and costs.

2. In total, the Individual owes \$80,186.44, broken down as follows:

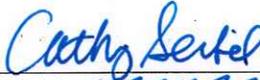
- (a) \$72,912.51 in fringe benefits;
- (b) \$233.86 in interest; plus \$26.95 in per diem interest; and
- (c) \$7,040.07 in attorney's fees and costs.

3. Defendants shall submit to an audit by providing Plaintiffs with the books and records of the Company for all unaudited periods, within thirty (30) days of the entry of this Order, and pay any delinquencies identified by the audit, together with the cost of the audit, interest, liquidated damages and any other costs incurred by Plaintiffs in obtaining payment of the delinquency within twenty (20) days of demand.

4. Should Defendants fail to comply with any of the relief set forth in paragraph 3 of this Default Judgment and Order, Plaintiffs may apply to this Court for a further award of damages.

SO ORDERED.

Dated: November 16, 2021
White Plains, New York


Honorable ~~Kenneth M. Karas~~ Cathy Seiber