

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

CAROL A. WILSON et al.,

Plaintiffs,

v.

RODNEY D. PORTER,

Defendant.

Case No. 2:15-cv-2702

CHIEF JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Terence P. Kemp

ORDER

On February 21, 2017, the Magistrate Judge issued a Report and Recommendation (ECF No. 20) recommending that the Court grant Plaintiffs' Motion for Summary Judgment (ECF No. 16). The Magistrate Judge found that Plaintiffs, the Administrator and Trustees of the Ohio Operating Engineers Health and Welfare Plan, the Ohio Operating Engineers Pension Fund, the Ohio Operating Engineers Education and Safety Fund, and the Ohio Operating Engineers Apprenticeship Fund (the "Funds") were entitled to a judgment as a matter of law against Defendant, Rodney D. Porter, who was obligated but failed to make fringe benefit contributions to the Funds on behalf of his construction contracting employees.

The Report and Recommendation advised the parties that failure to object within fourteen (14) days would result in a waiver of review. The time period for objections has run and no party has objected. Accordingly, the Report and Recommendation (ECF No. 20) is **ADOPTED**, and for the reasons set forth in that document, Plaintiffs' Motion for Summary Judgment (ECF No. 16) is **GRANTED**. The Clerk is **DIRECTED** to enter final judgment in this matter in Plaintiffs' favor and against Defendant for delinquent contributions to the Funds in the amount of

\$10,807.26, accumulated interest on that amount of \$1,270.18 through August 15, 2015, plus late charges of \$5.33 per day thereafter.

**IT IS SO ORDERED.**

3-8-2017

**DATE**

  
EDMUND A. SARGUS, JR.  
**CHIEF UNITED STATES DISTRICT JUDGE**