

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION  
AT DAYTON, OHIO

IRON WORKERS DISTRICT COUNCIL	)	CASE NO. 3:10-CV-76
OF SOUTHERN OHIO & VICINITY	)	
BENEFIT TRUST, <i>et al.</i>	)	JUDGE WALTER H. RICE
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
KENTUCKY INDUSTRIAL METALS, LTD.	)	
	)	
Defendant.	)	
	)	

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**ENTRY AND ORDER GRANTING PLAINTIFFS' MOTION FOR  
REASONABLE ATTORNEYS' FEES AND COSTS OF THE ACTION**

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Plaintiffs Iron Workers District Council of Southern Ohio & Vicinity Benefit Trust, et al. (“Plaintiffs”) have moved this Court to recover their reasonable attorneys’ fees and the costs of this Case from the Defendant Kentucky Industrial Metals, Ltd. (“Defendant”). Plaintiffs have so moved in response to this Court’s Order of April 16, 2010 (**Document #9**), and pursuant to Section 502(g)(2) of the Employee Retirement Income Security Act of 1974 (“ERISA”), 29 U.S.C. §1132(g)(2). Plaintiffs submitted the affidavit of attorney George H. Faulkner in support of their Motion for Reasonable Attorneys’ Fees and Costs. An itemized listing of the attorneys’ fees and costs Plaintiffs incurred in the prosecution of this Case was attached as **Exhibit A** to Mr. Faulkner’s Affidavit. As stated in Mr. Faulkner’s Affidavit, Plaintiffs incurred **\$2,506.25** in reasonable attorneys’ fees prosecuting this Case to judgment. Plaintiffs also incurred an additional **\$350.00** in costs in this Case.

Having considered Plaintiffs' Motion, and the supporting affidavit of attorney George H. Faulkner, and the itemized fee listing that was attached as **Exhibit A** to Mr. Faulkner's Affidavit, this Court finds that the Plaintiffs incurred a total of \$2,506.25 in reasonable attorneys' fees, and \$350.00 in costs in this Case. Accordingly, Plaintiffs' Motion for Reasonable Attorneys' Fees and Costs of this Action is hereby **GRANTED**.

**WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:**

1. Plaintiffs shall be entitled to recover from Defendant Kentucky Industrial Metals, Ltd. \$2,506.25 in reasonable attorneys' fees incurred in this Case, such fees being added to Plaintiffs' entitlement in **Document #9**;
2. Plaintiffs shall also be entitled to recover from Defendant Kentucky Industrial Metals, Ltd. \$350.00 in costs in this Case, such costs being added to Plaintiffs' entitlement in **Document #9**.

Considering Plaintiffs' reasonable attorneys' fees and costs, as well as this Court's monetary judgment set forth in **Document #9**, judgment is entered in favor of Plaintiffs and against Defendant Kentucky Industrial Metals, Ltd. in the total amount of \$36,890.64, exclusive of the interest, and the declaratory and injunctive relief set forth in **Document #9**, which remain in force and effect.

/s/ 

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Judge Walter H. Rice