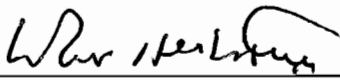




4. Charles Herington has breached his fiduciary duties owed to the Trusts;
5. Charles Herington has engaged in one or more prohibited transactions in violation of ERISA, with respect to the Trusts;
6. Charles Herington is jointly and severally liable with Patriot Steel Erectors, Inc. to reimburse Plaintiffs for all losses resulting from each such breach pursuant to Section 409(a) of ERISA, 29 U.S.C. §1009(a), including all delinquent contributions, interest, liquidated damages, costs, and attorneys' fees;
7. Plaintiffs are entitled to an accounting of all of Patriot Steel Erectors, Inc.'s delinquent contributions and payments caused by to Charles Herington orders or directions, and to an accounting of all losses suffered by Plaintiffs and their participants as a result of Mr. Herington's fiduciary breaches and prohibited transactions, with Mr. Herington to pay the costs of such an accounting;
8. Charles Herington and Patriot Steel Erectors, Inc. shall disgorge any ill-gotten gains, including employer contributions that have been wrongfully withheld from Plaintiffs.
9. The Court will retain jurisdiction over this case until such time as Patriot Steel Erectors, Inc. and Charles Herington have complied with its orders.

IT IS SO ORDERED.

Date: 7.5-12

  
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Walter H. Rice  
United States District Judge