

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WARREN FAUST and LORI  
ESHENAUR, as Trustees of the  
SHEET METAL WORKERS LOCAL  
44 RETIREMENT INCOME PLAN,  
SHEET METAL WORKERS LOCAL  
44 ANNUITY FUND, SHEET  
METAL WORKERS LOCAL 44  
WELFARE FUND, and SHEET  
METAL INDUSTRY EDUCATION  
FUND,

Plaintiffs,

v.

SUMMIT SHEET METAL, LLC,

Defendant.

NO. 3:14-CV-0607

(JUDGE CAPUTO)

**ORDER AND JUDGMENT**

**NOW**, this 25<sup>th</sup> day of January, 2018, and for the reasons stated in the accompanying memorandum, **IT IS HEREBY ORDERED** that:

- (1) Judgment is **ENTERED** in favor of Plaintiffs and against Defendant for unpaid contributions, liquidated damages, and interest as follows:
  - (A) Defendant shall pay delinquent contributions for the months of May 2013 through December 2014 in the following amounts: \$17,779.50 to the Pension Fund; \$11,257.00 to the Annuity Fund; \$31,274.10 to the Welfare Fund; and \$2,965.30 to the Education Fund, totaling \$63,275.90 in unpaid contributions.
  - (B) Defendant shall pay liquidated damages to the Funds in the amount of \$3,163.78.
  - (C) Defendant shall pay interest to the Funds in the amount of \$40,819.00.
- (2) Plaintiffs may file a petition for attorneys' fees and costs within **twenty-one (21)**

**days** from the date of entry of this Order in accordance with Federal Rule of Civil Procedure 54(d) and this Court's Local Rules. To the extent such a petition is filed, Defendant shall have **fourteen (14) days** to file an opposition to the petition if desired and Plaintiffs shall have **fourteen (14) days** to file a reply thereto, if any.

- (3) The Clerk of Court is directed to mark the case as **CLOSED**.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge