

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

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|-----------------------------------|------------------------------|
| TRUSTEES OF THE PLUMBERS AND) | |
| PIPEFITTERS NATIONAL PENSION) | |
| FUND, <i>et al.</i> ,) | |
|) | |
| Plaintiffs,) | Civil Action No. 1:10-cv-992 |
|) | |
| v.) | |
|) | |
| ALLAN BRUNATTI, <i>et al.</i> ,) | |
|) | |
| Defendants.) | |
|) | |

ORDER

This matter is before the Court on the Report and Recommendation (Doc. No. 19) of the Magistrate Judge recommending that default judgment be entered against defendants Allan Brunatti and Marco R. Brunatti Associates, a/k/a/ M.R. Brunatti Associates (collectively, "Defendants") and in favor of the Trustees of the Plumbers and Pipefitters National Pension Fund and Trustees of the International Training Fund (collectively, "Plaintiffs"). The Court conducted a *de novo* review of the evidence in this case and adopts and incorporates the findings and recommendations of the Magistrate Judge.¹ Accordingly, it is hereby

ORDERED that Plaintiffs' motion for default judgment (Doc. No. 15) be, and the same hereby is, GRANTED; it is further

¹ The Court notes what appears to be an arithmetic error in the calculation of the damages due to plaintiff Trustees of the Plumbers and Pipefitters National Pension Fund. The Court finds that the Magistrate Judge correctly found the amount of delinquent contributions, liquidated damages and interest as to this plaintiff to be \$30,622.50, \$3,062.25, and \$3,369.90 respectively. These amounts, however, add up to a total damages figure of \$37,054.65, rather than the \$34,354.65 figure contained in the Report and Recommendation, and the Court will adopt the Report and Recommendation with this correction.

ORDERED that default judgment be, and the same hereby is, entered against Defendants and in favor of plaintiff Trustees of the Plumbers and Pipefitters National Pension Fund in the amount of \$30,622.50 in delinquent contributions; \$3,062.25 in liquidated damages; and \$3,369.90 in interest, for a total damages award of \$37,054.65; and it is further

ORDERED that default judgment be, and the same hereby is, entered against Defendants and in favor of plaintiff Trustees of the International Training Fund in the amount of \$1,361.00 in delinquent contributions; \$272.20 in liquidated damages; and \$149.77 in interest, for a total damages award of \$1,782.97; and it is further

ORDERED that default judgment be, and the same hereby is, entered against Defendants and in favor of Plaintiffs in the amount of \$1,100.00 in reasonable attorneys' fees, and \$601.29 in costs. If further action is required to enforce and collect this judgment, Plaintiffs may apply to this Court or to the court in which enforcement is sought for further reasonable attorneys' fees and costs in addition to those set out in the Report and Recommendation.

The Clerk is directed to enter judgment in accordance with this Order pursuant to Fed. R. Civ. P. 58 and to forward copies of this Order to all counsel of record and to:

Allan Brunatti
d/b/a Marco R. Brunatti Associates, a/k/a M.R. Brunatti Associates
526 East 12100 South
Draper, UT 84020

Marco R. Brunatti Associates, a/k/a M.R. Brunatti Associates
526 East 12100 South
Draper, UT 84020



Anthony J. Trenga
United States District Judge

Alexandria, Virginia
September 19, 2011