

UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF WISCONSIN

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NORTH CENTRAL STATES REGIONAL COUNCIL  
OF CARPENTERS' PENSION FUND,  
NORTH CENTRAL STATES REGIONAL COUNCIL  
OF CARPENTERS' HEALTH FUND,  
NORTH CENTRAL STATES REGIONAL COUNCIL  
OF CARPENTERS' VACATION FUND,  
NORTH CENTRAL STATES REGIONAL COUNCIL  
OF CARPENTERS' APPRENTICESHIP &  
JOURNEYMAN TRAINING FUND,  
LABOR MANAGEMENT COOPERATION TRUST OF  
NORTH CENTRAL STATES REGIONAL COUNCIL  
OF CARPENTERS', and BRIAN GENTRY,

NORTH CENTRAL STATES REGIONAL COUNCIL  
OF CARPENTERS, and CONTRACT ADMINISTRATION FUND,

Case No. 08-CV-624

Plaintiffs,

vs.

MYERS WALL SYSTEMS, INC., and  
JESSE MYERS,

Defendants.

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ORDER FOR JUDGMENT  
AS TO DEFENDANT MYERS WALL SYSTEMS, INC.

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Request and application for default judgment brought by the Plaintiffs in the above-captioned action were submitted to the Court and filed with the clerk.

The Court, having duly heard all issues and a decision having been duly rendered, orders as follows:

1. Defendant Myers Wall Systems, Inc. has failed to plead or otherwise defend as

provided by Rule 55(a) of the Fed. R. Civ. P.

2. Myers Wall Systems, Inc. violated the Labor-Management Relations Act of 1947, as amended, as well as the Employee Retirement Income Security Act of 1974, as amended, and the effective collective bargaining agreement by failing to pay fringe benefit contributions on behalf of its employees to the Plaintiff Funds.

3. As a result of Defendant's failure, Plaintiffs are entitled to damages consisting of unpaid liquidated damages, interest attorney fees and costs.

4. The court assesses the total damages to the Plaintiffs in the sum of \$56,188.07.

**IT IS HEREBY ORDERED** that the Clerk of Court is directed to enter judgment in favor of Plaintiffs, North Central States Regional Council of Carpenters' Pension Fund, North Central States Regional Council of Carpenters' Health Fund, North Central States Regional Council of Carpenters' Vacation Fund, North Central States Regional Council of Carpenters' Apprenticeship & Journeyman Training Fund, Labor Management Cooperation Trust of North Central States Regional Council of Carpenters', and Brian Gentry, North Central States Regional Council of Carpenters, and Contract Administration Fund and against Defendant Myers Wall Systems, Inc. in the amount of \$56,188.07 together with interest at the rate allowed by law.

Dated this 15<sup>th</sup> day of April, 2009.

BY THE COURT

Barbara B. Crab  
U. S. District Court Judge