

UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF WISCONSIN

DOCKET# \_\_\_\_\_  
U.S. DISTRICT COURT  
WEST DIST. OF WISCONSIN

MAR 25 2009

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WISCONSIN LABORERS HEALTH FUND,  
BUILDING & PUBLIC WORKS LABORERS  
VACATION FUND, and THOMAS FISHER,

WISCONSIN LABORERS-EMPLOYERS  
COOPERATION AND EDUCATION TRUST FUND,

MASONS LOCAL 8 HEALTH FUND,  
and FREDERICK HULTQUIST,

BUILDING TRADES UNITED PENSION  
TRUST FUND and NACARCI FEASTER,

INDUSTRY ADVANCEMENT PROGRAM/CONTRACT  
ADMINISTRATION,

Plaintiffs,

v.

Case No. 08-CV-734

TWIN MASONRY, LLC  
and JOHN E. OROSCO,

Defendants.

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ORDER FOR JUDGMENT  
AGAINST DEFENDANT JOHN E. OROSCO

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A request and application for default judgment against Defendant John E. Orosco brought by the Plaintiff Building & Public Works Laborers Vacation Fund 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 John E. Orosco has failed to plead or otherwise defend as provided by Rule 55(a) of the Fed. R. Civ. P.

2. John E. Orosco violated the Employee Retirement Income Security Act of 1974, as amended, by failing to pay fringe benefit contributions to the plaintiff Building & Public Works Laborers Vacation Fund, said contributions having been deducted from Twin Masonry, LLC's employees' paychecks.

3. The court assesses the total damages in favor of the plaintiff Building & Public Works Laborers Vacation Fund and against the Defendant John E. Orosco in the sum of \$411.00 for contributions for the audited period September 1, 2007 through June 30, 2008 as well as attorney's fees and costs incurred in their prosecution of this matter.

**IT IS HEREBY ORDERED** that the Clerk of Court is directed to enter judgment in favor of Plaintiff, Building & Public Works Laborers Vacation Fund, and against Defendant John E. Orosco in the amount of \$411.00 together with interest at the rate allowed by law.

Dated this 25<sup>th</sup> day of ~~February~~ <sup>March</sup>, 2009.

BY THE COURT

Barbara McCull  
U. S. District Court Judge