

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

**WISCONSIN LABORERS PENSION FUND,
WISCONSIN LABORERS HEALTH FUND,
WISCONSIN LABORERS APPRENTICESHIP
& TRAINING FUND, and JOHN J. SCHMITT
(in his capacity as Trustee)**

**WISCONSIN LABORERS-EMPLOYERS
COOPERATION AND EDUCATION TRUST FUND,
and CONTRACT ADMINISTRATION FUND,**

WISCONSIN LABORERS DISTRICT COUNCIL,

**WISCONSIN MASONS PENSION FUND,
WISCONSIN MASONS HEALTH CARE FUND,
WISCONSIN MASONS APPRENTICESHIP &
TRAINING FUND, and GARY BURNS (in his
capacity as Trustee),**

**WISCONSIN MASONS ICE FUND,
WISCONSIN MASONS SATAP FUND,**

**BRICKLAYERS & TROWEL TRADES
INTERNATIONAL PENSION FUND,
INTERNATIONAL MASONRY INSTITUTE,
IPF/PPA FUNDING IMPROVEMENT PLAN,**

**BRICKLAYERS & ALLIED CRAFTWORKERS
DISTRICT COUNCIL OF WISCONSIN,**

**INTERNATIONAL UNION OF BRICKLAYERS
& ALLIED CRAFTWORKERS,**

Plaintiffs,

v.

Case No. 15-cv-278

WAYNE'S CAULKING, INC.,

Defendant.

ORDER AND ENTRY OF JUDGMENT

Request and motion for default judgment brought by the Plaintiffs in the above-captioned action were submitted to the Court and filed with the clerk. This action having come on hearing before the Court, the issues having been duly heard, and a decision having been duly rendered, the Court orders as follows:

1. Defendant Wayne's Caulking, Inc. has failed to plead or otherwise defend as provided by Rule 55(a) of the Fed. R. Civ. P.

2. Defendant Wayne's Caulking, 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 agreements 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 contributions, interest, liquidated damages, attorney's fees and costs.

4. The court assesses the total damages to the Plaintiffs in the sum of \$125,047.36.

IT IS HEREBY ORDERED AND ADJUDGED that the Plaintiffs, Wisconsin Laborers Pension Fund, Wisconsin Laborers Health Fund, Wisconsin Laborers Apprenticeship & Training Fund, and John J. Schmitt (in his capacity as Trustee), Wisconsin Laborers-Employers Cooperation and Education Trust Fund, Contract Administration Fund, Wisconsin Laborers District Council, Wisconsin Masons Pension Fund, Wisconsin Masons Health Care Fund, Wisconsin Masons Apprenticeship & Training Fund, Gary Burns (in his capacity as Trustee), Wisconsin Masons ICE Fund, Wisconsin Masons SATAP Fund, Bricklayers & Trowel Trades International Pension Fund, International Masonry Institute, IPF/PPA Funding Improvement Plan, Bricklayers

& Allied Craftworkers District Council of Wisconsin, and International Union of Bricklayers & Allied Craftworkers, recover from the Defendant Wayne's Caulking, Inc. and that the Clerk of Court is directed to enter judgment in favor of Plaintiffs and against Defendant Wayne's Caulking, Inc. in the amount of \$125,047.36 together with interest at the rate allowed by law.

Dated at Madison, Wisconsin, this 5th day of August, 2015.

Peter Oppeneer
Clerk of Court

Deputy Clerk

Dated and approved as to form this 5th day of August, 2015.

BY THE COURT:

[Signature]
U. S. District Court Judge