

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JAN 8 - 2007

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

INTERNATIONAL PAINTERS &)
ALLIED TRADES INDUSTRY)
PENSION FUND,)

Plaintiff,)

v.)

Civ. Action No. 06-1440 (RJL)

NEWBURGH GLASS AND)
GLAZING, LLC)

Defendants.)

ORDER

Upon consideration of the Motion for Entry of Default Judgment filed by the Plaintiff, International Painters and Allied Trades Industry Pension Fund, it is, this

6th, day of January 2007, hereby

ORDERED that [#6] Plaintiff's Motion for Entry of Default Judgment is GRANTED; and it is further

ORDERED that damages of \$40,093.80 shall be paid to the Plaintiff for unpaid contributions payable to the International Painters and Allied Trades Industry Pension Fund ("Fund") for the period February 2006 through August 2006; and it is further

ORDERED that damages of \$975.40 shall be paid to the Plaintiff for interest payable on unpaid pension contributions calculated from the date the contributions became due until September 30, 2006, at the fluctuating IRS interest rate as set forth in the International Painters and Allied Trades Industry Pension Plan; and it is further

(ac)

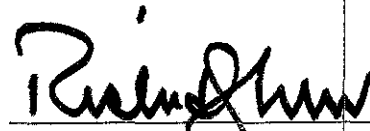
ORDERED that damages of \$8,018.76 shall be paid to the Plaintiff for liquidated damages, which is 20 percent of the total amount of contributions owed the Fund; and it is further

ORDERED that damages of \$4,009.46 shall be paid to the Plaintiff for attorney's fees and costs incurred by Plaintiff through September 25, 2006; and it is further

ORDERED that defendants are directed to file complete, proper, and timely remittance reports with accompanying pension contributions for all periods for which defendants are obligated to do so under its collective bargaining agreement(s); and it is further

ORDERED that this Judgement is without prejudice to the right of plaintiff to seek recovery of any past or future delinquencies, interest, damages, and reasonable attorney's fees and costs that may be owing to plaintiff from defendants.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Richard J. Leon", written over a horizontal line.

RICHARD J. LEON
United States District Judge