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AO 451 (Rev. 2/86) Certification of Judgment ©

93938033

United States District Court

EASTERN

DISTRICT OF

VIRGINIA

BOARD OF TRUSTEES,
SHEET METAL WORKERS NATIONAL
PENSION FUND, et al.,
Plaintiffs,

CERTIFICATION OF JUDGMENT FOR REGISTRATION IN ANOTHER DISTRICT

DARIEN ENGINEERING, INC.,
and
CHARLES PADY,
Defendants.

Case Number: 92-0895-A

I, DORIS R. CASEY, Clerk of this United States District Court

certify that the attached judgment is a true and correct copy of the original judgment entered in this ac-
tion on December 2, 1992, as it appears in the records of this court, and that
Date

~~no notice of appeal from this judgment has been filed, and no motion of any kind
listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed.~~

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court on

10/18/93
Date

DORIS R. CASEY, Clerk

Clerk Doris R. Casey

[Signature]
(By) Deputy Clerk

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Insert the appropriate language: . . . "no notice of appeal from this judgment has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed." . . . "no notice of appeal from this judgment has been filed, and any motions of the kinds listed in Rule 4(a) of the Federal Rules of Appellate Procedure [] have been disposed of, the latest order disposing of such a motion having been entered on [date]." . . . "an appeal was taken from this judgment and the judgment was affirmed by mandate of the Court of Appeals issued on [date]." . . . "an appeal was taken from this judgment and the appeal was dismissed by order entered on [date]."

[*Note: The motions listed in Rule 4(a), Fed. R. App. P., are motions: for judgment notwithstanding the verdict; to amend or make additional findings of fact; to alter or amend the judgment, for a new trial, and for an extension of time for filing a notice of appeal.]

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IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA ALEXANDRIA DIVISION

BOARD OF TRUSTEES,
SHEET METAL WORKERS NATIONAL
PENSION FUND, et al.,

Plaintiffs,

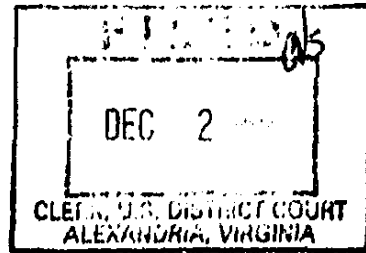
v.

DARIEN ENGINEERING, INC.,

and

CHARLES PADY,

Defendants.



Civil Action No. 92-0895-A

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JUDGMENT AND ORDER

Upon consideration of plaintiffs' Motion For Default Judgment, the Magistrate Judge's Report and Recommendation and the absence of exceptions thereto, and upon consideration of the entire record in this case, it appearing to the Court that defendants have failed to plead or otherwise defend in this action and a default has been entered, it is by the Court this 2nd day of December, 1992,

ORDERED, that the Court adopts the Magistrate Judge's Report and Recommendation and grants plaintiffs' Motion For Default Judgment; and it is

FURTHER ORDERED, that judgment by default is hereby entered in the above-captioned case in favor of plaintiffs and against defendants, jointly and severally; and it is

FURTHER ORDERED, that pursuant to 29 U.S.C. § 1132(g)(2)

- 1 -

A True Copy. Teste:

Doris R. Casey, Clerk

By

Deputy Clerk

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defendants shall pay to plaintiffs, and plaintiffs are awarded, \$3,235.44 in delinquent unpaid monthly contributions due for the period October 1990, November 1990, February 1991, May 1992 and September 1992, interest accrued through November 13, 1992, and liquidated damages; and it is

FURTHER ORDERED, that defendants shall pay to plaintiffs additional interest at the rates prescribed under 26 U.S.C. § 6621 on the amount of any delinquent monthly contributions awarded in this Order, or hereafter due, from the date the contribution was due through the date payment is finally made; and it is

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FURTHER ORDERED, that defendants shall pay to plaintiffs additional liquidated damages equal to twenty percent (20%) of the amount of any additional delinquent contributions due for the month of October 1992 and any month thereafter; and it is

FURTHER ORDERED, that defendants shall submit to an audit of its wage, payroll and personnel records for the period of October 1990 through September 1992 within twenty (20) days of the date this Order becomes final; and it is

FURTHER ORDERED, that pursuant to 29 U.S.C. § 1132(g)(2) defendants shall pay to plaintiffs, and plaintiffs are awarded, attorneys' fees in the amount of \$933.75, and costs in the amount of \$499.95, incurred through November 13, 1992, as well as any additional reasonable attorneys' fees and costs incurred thereafter in connection with this case until this judgment has been executed; and it is

A True Copy, Teste:
Doris R. Cassidy, Clerk

By Wanda L. [Signature]
Deputy Clerk

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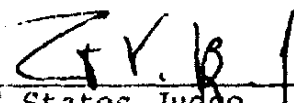
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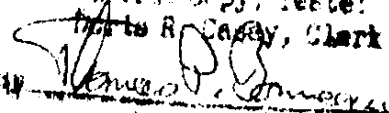
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FURTHER ORDERED, that because of defendants' persistent failure to meet their reporting and payment obligations to plaintiffs under the terms of their collective bargaining agreement, defendants, their officers, agents, servants, employees, attorneys, and all persons acting on their behalf are ordered to file any remittance reports and to make any payments due plaintiffs for the month of October 1992, and any month thereafter through the expiration of the current collective bargaining agreement and for any period thereafter for which contributions are required under the terms of any duly executed collective bargaining agreement to which they are a party, in a timely fashion, with the following proviso: all reports and payments for this period already overdue on the date this Order becomes final shall be filed within twenty (20) days of the date this Order becomes final; and it is

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FURTHER ORDERED, that if defendant fails to comply with any of the terms of this Order, plaintiffs may, in addition to pursuing the remedies provided under Rule 67 of the Federal Rules of Civil Procedure, reopen this case upon motion to this Court and notice to the defendants, and may at that time ask for further appropriate monetary and/or injunctive relief.


United States Judge

A True Copy, Teste:

Deputy Clerk

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LEGAL DESCRIPTION:

Lots 278 and 279 in Frank de Lugach's 87th Street Highlands, a Subdivision of the North 1/2 of the Northeast 1/4 of Section 5, Township 37 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

P.I.N. 24-05-206-016-0000
24-05-206-015-0000

Common address. 5709 West 87th Place
Oak Lawn, Illinois



Manetti & Griffith, Ltd.
2311 W. 87th, Suite 217
Oak Brook, IL 60521-1227

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