

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

**BOILERMAKER-BLACKSMITH NATIONAL  
PENSION FUND, et al.,**

**Plaintiffs,**

**v.**

**DURR MECHANICAL CONSTRUCTION,  
INC.,**

**Defendant.**

**Case No. 17-2655**

**ORDER OF DEFAULT JUDGMENT**

This matter comes before the court upon plaintiffs' Motion for Default Judgment (Doc. 6). Plaintiffs filed this action on November 15, 2017, alleging that defendant breached a collective bargaining agreement by, among other things, failing to make monthly contributions to a fund for employee benefits and failing to report the hours of covered work performed by its employees at different times in violation of the Employment Retirement Income Security Act of 1974 ("ERISA"). Defendant did not file an answer or other responsive motion. On December 19, 2017, plaintiffs filed an application for clerk's entry of default, which was entered on December 20, 2017. Defendant did not seek to set aside the clerk's entry of default and on January 8, 2018, plaintiffs moved for default judgment.

Plaintiffs' motion for default judgment seeks \$369,458.12 in unpaid contributions, \$286,013.64 in liquidated damages, \$14,081.34 in interest as of December 26, 2017, costs in the amount of \$547.25, and \$2,250 in attorney fees, totaling \$672,350.35. The court finds that defendant is in default and an entry of default judgment is proper pursuant to Federal Rule of Civil Procedure 55.

**IT IS THEREFORE ORDERED** that plaintiffs' Motion for Default Judgment (Doc. 6) is granted and default judgment is entered against defendant and in favor of plaintiffs in the amount of \$672,350.35.

Dated January 26, 2018, at Kansas City, Kansas.

s/ Carlos Murguia  
**CARLOS MURGUIA**  
**United States District Judge**