

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

**Boilermaker-Blacksmith
National Pension Fund et al.,**

Plaintiffs,

v.

Case No. 18-2273-JWL

The Smedley Company,

Defendant.

MEMORANDUM & ORDER

Plaintiffs filed this lawsuit against defendant under §§ 502 and 515 of the Employee Retirement Income Security Act of 1974 (ERISA) to collect fringe benefit contributions due and owing to various employee benefit plans. After defendant failed to file an answer or other responsive pleading to plaintiffs' complaint, the clerk of the court entered default pursuant to Federal Rule of Civil Procedure 55(a).

This matter is now before the court on plaintiffs' motion for default judgment (doc. 6). In the motion, plaintiffs demonstrate that defendant is liable to the benefit plans in the amount of \$13,686.32 in contributions; \$7275.89 in liquidated damages pursuant to the Trust Agreements creating the funds and as authorized by statute; \$1928.74 in interest pursuant to the Trust Agreements creating the funds and as authorized by statute; and \$3013.50 in reasonable attorneys' fees and \$518.75 in costs as authorized by statute. The motion is granted.

A court may enter a default judgment without a hearing if the "amount claimed is a liquidated sum or one capable of mathematical calculation." *Hunt v. Inter-Globe Energy, Inc.*,

770 F.2d 145, 148 (10th Cir. 1985). Plaintiffs' claim of default is capable of mathematical calculation. The court therefore concludes that default judgment be entered against defendant The Smedley Company in the total amount of \$26,423.20.

IT IS THEREFORE ORDERED BY THE COURT THAT plaintiff's motion for default judgment (doc. 6) is granted.

IT IS FURTHER ORDERED BY THE COURT THAT judgment be entered in favor of plaintiffs against defendant The Smedley Company in the amount \$13,686.32 in contributions; \$7275.89 in liquidated damages; \$1928.74 in interest; \$3013.50 in reasonable attorneys' fees; and \$518.75 in costs, for a total judgment amount of \$26,423.20.

IT IS SO ORDERED.

Dated this 19th day of July, 2018, at Kansas City, Kansas.

s/ John W. Lungstrum
John W. Lungstrum
United States District Judge