

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

BOILERMAKER-BLACKSMITH)
NATIONAL PENSION TRUST and)
JOHN FULTZ as Fiduciary,)
)
Plaintiffs,)
)
v.)
)
PSF INDUSTRIES, INC.,)
)
Defendant.)
)
)
_____)

Case No. 18-2467-JWL

MEMORANDUM AND ORDER

On November 27, 2019, the Court awarded plaintiffs summary judgment with respect to liability. On February 21, 2020, the Court resolved various issues relating to damages, although it ordered plaintiffs to provide revised interest calculations so that certain damage amounts could be determined. Plaintiffs have submitted revised calculations in accordance with the Court’s order, and plaintiffs have indicated that defendant has no objection to those calculations.

Based on those calculations, the Court awards plaintiffs interest in the amount of \$1,043,403.00, which represents interest on principal payments due prior to and on the latest due date of February 9, 2020, with the interest accruing through the date of this order. Moreover, because the amount of interest exceeds the amount of liquidated damages that

would be imposed on the unpaid principal amounts, plaintiffs are entitled to an award of double interest. Thus, the Court awards total damages as follows:

Unpaid principal (§ 1132(g)(2)(A))	\$ 8,286,381.50
Interest on principal (§ 1132(g)(2)(B))	1,043,403.00
Statutory damages (§ 1132(g)(2)(C))	1,043,403.00
Attorney fees (§ 1132(g)(2)(D))	134,270.50

TOTAL	\$ 10,507,458.00

IT IS THEREFORE ORDERED BY THE COURT THAT plaintiffs are awarded judgment against defendant in the total amount of \$10,507,458.00.

IT IS SO ORDERED.

Dated this 27th day of February, 2020, in Kansas City, Kansas.

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