

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
KENTUCKY, LOUISVILLE DIVISION

Trustees of the Electrical Workers Local 369 Benefit Fund and
Trustees of the Electrical Workers Local 369 Retirement Fund v. AP
Electric, Inc.

Trustees of the Electrical Workers Local 369 Benefit Fund v. AP Electric · No. 3:24-cv-575-DJH-RSE · Decided
April 30, 2026

SUMMARY

The United States District Court for the Western District of Kentucky adopted a magistrate judge’s findings and recommendation concerning damages in an ERISA-related action by electrical workers’ benefit and retirement funds against AP Electric, Inc. The court granted the amended motion for default judgment and directed that a separate judgment be entered, awarding the amounts recommended for the funds, attorney fees, and the filing fee.

CASE DETAILS

COURT	United States District Court for the Western District of Kentucky, Louisville Division
WRITING FOR THE COURT	David J. Hale
JURISDICTION	United States District Court for the Western District of Kentucky, Louisville Division
DECIDED	April 30, 2026
DOCKET	3:24-cv-575-DJH-RSE
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved for default judgment after Defendant failed to appear, answer, or otherwise plead. The court granted the motion and referred the matter to a magistrate judge to recommend the proper amount of damages. The district court adopted the magistrate judge's unobjected-to recommendation in full.
STANDARD OF REVIEW	When no party objects to a magistrate judge's findings and recommendation, the district court may adopt them without review; the court nevertheless conducted its own review and found no error.
PRECEDENTIAL VALUE	unpublished

PARTIES

Trustees of the Electrical Workers Local 369 Benefit Fund, Trustees of the Electrical Workers Local 369 Retirement Fund v. AP Electric, Inc.

TOPICS

default judgment

default

erisa

employee benefits

attorney fees

PRACTICE AREAS

ERISA

employee benefits

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether the plaintiffs were entitled to default judgment after AP Electric failed to appear, answer, or otherwise plead.
2. Whether the district court should adopt the magistrate judge's findings, conclusions, and recommendation regarding the amount of damages, attorney fees, and filing costs.

HOLDINGS

1. Plaintiffs' amended motion for default judgment was granted because AP Electric failed to appear, answer, or otherwise plead in the action.
2. The court adopted in full the magistrate judge's findings of fact, conclusions of law, and recommendation, awarding \$36,077.02 to the 369 Benefit Fund, \$37,882.85 to the 369 Retirement Fund, \$8,132.00 in attorney fees, and \$405.00 for the filing fee.

FACTUAL BACKGROUND

AP Electric, Inc. failed to appear, answer, or otherwise plead in the action brought by the trustees of two Electrical Workers Local 369 funds. The plaintiffs sought default judgment and updated the relief requested through an amended motion. The magistrate judge recommended monetary awards for each fund, attorney fees, and the filing fee.

PROCEDURAL HISTORY

Plaintiffs filed an initial motion for default judgment, which the court granted, and the matter was referred to Magistrate Judge Regina S. Edwards for a recommendation regarding damages. Plaintiffs then filed an amended motion seeking updated relief. The magistrate judge recommended awards totaling \$36,077.02 for the Benefit Fund, \$37,882.85 for the Retirement Fund, \$8,132.00 in attorney fees, and \$405.00 for the filing fee. No objections were filed, and the district court independently reviewed the record before adopting the recommendation and directing entry of a separate judgment.

DISPOSITION

other

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 150 (1985)

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF KENTUCKY LOUISVILLE
DIVISION TRUSTEES OF THE ELECTRICAL WORKERS LOCAL 369 BENEFIT FUND and
TRUSTEES OF THE ELECTRICAL WORKERS LOCAL 369 RETIREMENT FUND, Plaintiffs,
v. Civil Action No. 3:24-cv-575-DJH-RSE AP ELECTRIC, INC., Defendant. * * * * * ORDER
Plaintiffs Trustees of the Electrical Workers Local 369 Benefit Fund and Trustees of the Electrical
Workers Local 369 Retirement Fund filed a motion for default judgment based on Defendant AP
Electric, Inc.'s failure to appear, answer, or otherwise plead in this matter.

(Docket No. 8) The Court granted the motion and referred it to Magistrate Judge Regina S.
Edwards for report and recommendation as to the proper amount of damages. (D.N. 9) Plaintiffs
then filed an amended motion for default judgment updating the relief sought. (D.N. 14; see also
D.N. 14-1) Judge Edwards entered her Findings of Fact, Conclusions of Law, and
Recommendation as to the amended motion on December 18, 2025, recommending that 369
Benefit Fund be awarded judgment against AP Electric in the amount of \$36,077.02; that 369
Retirement Fund be awarded judgment against AP Electric in the amount of \$37,882.85; and that
Plaintiffs be awarded \$8,132.00 for attorney fees and \$405.00 for the filing fee.

(D.N. 18, PageID.345) The time for objections to the magistrate judge's findings and
recommendations has now run, with no objections filed. See 28 U.S.C. § 636(b)(1)(C); Fed. R.
Civ. P. 72(b)(2). Because no party has objected to the Findings of Fact, Conclusions of Law, and
Recommendation, the Court may adopt them without review. See Thomas v. Arn, 474 U.S. 140,
150 (1985).

Nevertheless, the Court has conducted its own review of the record and sees no error in the
magistrate judge's findings and conclusions. Accordingly, and the Court being otherwise
sufficiently advised, it is hereby ORDERED as follows: (1) Plaintiffs' amended motion for default
judgment (D.N. 14) is GRANTED.

(2) The Findings of Fact, Conclusions of Law, and Recommendation of Magistrate Judge Regina
S. Edwards (D.N. 18) are ADOPTED in full and INCORPORATED by reference herein. (3) A
separate Judgment will be entered this date. April 30, 2026 David J. Chief Judge United States
District Court