

**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.

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