UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN

Trustees of the Michigan Laborers’ Health Care Fund, et al. v. Porter Brothers Construction, Inc.

Trustees of the Michigan Laborers’ Health Care Fund · No. 25-cv-12420 · Decided November 21, 2025

SUMMARY

The United States District Court for the Eastern District of Michigan granted in part the Trustees’ unopposed motion for default judgment against Porter Brothers Construction, Inc. in an ERISA fringe-benefit contribution action. The court found that Porter Brothers’ default established liability and awarded the Trustees $43,978.83 in monetary damages, plus statutory interest, and $1,105 in attorney fees. The court also permitted the Trustees to seek taxation of costs.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan
WRITING FOR THE COURT	Robert J. White
JURISDICTION	United States District Court for the Eastern District of Michigan
DECIDED	November 21, 2025
DOCKET	25-cv-12420
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved for default judgment under Federal Rule of Civil Procedure 55(b)(2) after Defendant failed to appear, plead, or otherwise defend, and after the Clerk entered default.
STANDARD OF REVIEW	On a motion for default judgment, well-pleaded allegations are deemed admitted as to liability. Damages may be determined without a formal evidentiary hearing when sufficient evidence supports the request or the amount is ascertainable from definite figures in documentary evidence or affidavits.
PRECEDENTIAL VALUE	Unknown

TOPICS

default judgment · default · attorney fees · damages · civil procedure

PRACTICE AREAS

ERISA · civil procedure · remedies · employment law · construction law · commercial litigation

QUESTIONS PRESENTED

1. Whether default judgment should be entered against Porter Brothers after its failure to appear or defend.
2. Whether the Court had subject matter and personal jurisdiction over Porter Brothers.
3. Whether the Trustees established ascertainable damages based on the audit and supporting documentation without a formal evidentiary hearing.
4. Whether the Trustees were entitled to reasonable attorney fees and costs under ERISA.

HOLDINGS

1. A defendant's default concedes the truth of the well-pleaded allegations concerning liability on the asserted claims, and default judgment was appropriate against Porter Brothers.
2. The Court possessed subject matter jurisdiction over the action under 28 U.S.C. § 1331 and 29 U.S.C. §§ 185(a), 1132.
3. The Court had personal jurisdiction over Porter Brothers under Michigan's long-arm statute and the Due Process Clause.
4. A formal evidentiary hearing was unnecessary because the Trustees submitted sufficient evidence and the damages were ascertainable from definite figures in the audit and supporting documents.
5. The Trustees were entitled to reasonable attorney fees of $1,105 and could seek taxation of costs under E.D. Mich. LR 54.1.

KEY QUOTATIONS

> *"A formal evidentiary hearing is not necessary to determine the amount of damages assessed in a default judgment "if sufficient evidence is submitted to support the request for damages or if the amount claimed is one capable of ascertainment from definite figures in the documentary evidence or affidavits.""* (finding 7)

FACTUAL BACKGROUND

Porter Brothers Construction, Inc. was party to a collective bargaining agreement requiring it to submit monthly fringe-benefit reports and contributions for covered workers to several employee-benefit funds. Porter Brothers submitted reports for August through October 2024 for work performed in Michigan but made no corresponding contributions. An independent audit for January 2024 through May 2025 determined that Porter Brothers owed the Funds contributions, liquidated damages, and interest, and the Trustees sought those amounts, attorney fees, and costs.

PROCEDURAL HISTORY

Plaintiffs commenced an ERISA collection action on August 5, 2025, and served Defendant on August 8, 2025. Defendant did not respond, and the Clerk entered default on September 19, 2025. The District Court considered the unopposed motion for default judgment, declarations, exhibits, and record filings, granted the motion in part, entered a monetary judgment, awarded attorney fees, and permitted taxation of costs.

DISPOSITION

other

CASES CITED

- Thomas v. Miller, 489 F.3d 293, 299 (6th Cir. 2007)
- Ford Motor Co. v. Mont. Eighth Jud. Dist. Ct., 592 U.S. 351, 358–60 (2021)
- Lomax v. Marketplace Homes Lending, LLC, No. 23-13018, 2024 U.S. Dist. LEXIS 186401, at *4 (E.D. Mich. Oct. 11, 2024)
- Jones v. Pekoske, No. 21-1061, 2021 U.S. App. LEXIS 36223, at *5–6 (6th Cir. Dec. 7, 2021)
- Ayers v. Receivables Performance Mgmt., L.L.C., No. 15-12082, 2016 U.S. Dist. LEXIS 132875, at *9 (E.D. Mich. Sept. 28, 2016)
- Vesligaj v. Peterson, 331 F. App'x 351, 355 (6th Cir. 2009)
- Building Serv. Local 47 Cleaning Contractors Pension Plan v. Grandview Raceway, 46 F.3d 1392, 1401–02 (6th Cir. 1995)