

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, ALEXANDRIA DIVISION

Board of Trustees, Sheet Metal Workers' National Pension Fund, et
al. v. Superior Air, Inc.

Superior Air · No. 1:25-cv-01560 (RDA/WBP) · Decided January 13, 2026

SUMMARY

A United States magistrate judge recommends granting the plaintiffs’ motion for default judgment against Superior Air, Inc. for delinquent employee-benefit contributions allegedly owed under collective bargaining agreements. The proposed findings address jurisdiction, service, default, liability under ERISA and the LMRA, and damages. The recommended judgment totals \$61,908.64, including contributions, interest, liquidated damages, audit fees, attorneys’ fees, and costs.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Alexandria Division
WRITING FOR THE COURT	William B. Porter, United States Magistrate Judge
JURISDICTION	United States District Court for the Eastern District of Virginia, Alexandria Division
DECIDED	January 13, 2026
DOCKET	1:25-cv-01560 (RDA/WBP)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs sought entry of default judgment after Superior Air failed to answer or otherwise defend an ERISA and LMRA action seeking delinquent employee-benefit contributions and related damages, fees, and costs. The magistrate judge issued proposed findings of fact and recommendations under 28 U.S.C. § 636(b)(1)(C), recommending that the district judge enter default judgment.
STANDARD OF REVIEW	On a motion for default judgment, well-pleaded factual allegations, other than allegations concerning damages, are treated as admitted; the court must independently determine whether the allegations state a claim and must determine damages rather than automatically deeming them admitted. The court must also establish subject matter

	jurisdiction, personal jurisdiction, proper service, and compliance with Rule 54(c).
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Board of Trustees, Sheet Metal Workers' National Pension Fund, Trustees of the International Training Institute for the Sheet Metal and Air Conditioning Industry, Sheet Metal Workers' International Association Scholarship Fund, Sheet Metal Occupational Health Institute Trust, National Energy Management Institute Committee v. Superior Air, Inc.

TOPICS

default judgment employee benefits labor law breach of contract attorney fees

PRACTICE AREAS

ERISA employee benefits labor law federal civil procedure attorneys' fees

QUESTIONS PRESENTED

1. Whether the court had subject matter and personal jurisdiction and proper venue over the ERISA and LMRA claims.
2. Whether Superior Air was properly served and defaulted after failing to plead or otherwise defend.
3. Whether the admitted allegations and supporting evidence established liability for unpaid contributions under ERISA and the LMRA.
4. Whether Plaintiffs established entitlement to contributions, interest, liquidated damages, audit fees, attorneys' fees, and costs.
5. Whether the recommended default judgment complied with Federal Rule of Civil Procedure 54(c).

HOLDINGS

1. A defendant's properly entered default admits the well-pleaded factual allegations of the complaint, except allegations concerning damages, but the court must still determine whether those allegations state a claim and must independently establish damages.
2. The court had subject matter jurisdiction under 28 U.S.C. § 1331 and 29 U.S.C. § 1132(e)(1), personal jurisdiction based on ERISA's nationwide service provision, and proper venue in the Eastern District of Virginia.
3. Superior Air was properly served through its registered agent and default was properly entered after it failed to file a responsive pleading within the Rule 12(a) period.
4. The admitted allegations and supporting evidence established Superior Air's liability under ERISA § 515 and LMRA § 301 for failing to make contributions required by the applicable collective bargaining agreements.

5. Plaintiffs established entitlement to \$56,362.40 in contributions, interest, liquidated damages, and audit fees, plus \$5,546.24 in reasonable attorneys' fees and costs, for a recommended total default judgment of \$61,908.64.

KEY QUOTATIONS

“Once in default, the Court considers the facts alleged in a complaint as admitted against the defendant, leaving the Court to determine whether the facts alleged state a claim.” (Section III)

“ERISA requires ‘every employer who is obligated to make contributions to a multiemployer plan under the terms of the plan or under the terms of a collectively bargained agreement [to] . . . make such contributions in accordance with the terms and conditions of such plan or such agreement.’” (Section III.D)

“Under the so-called ‘American rule,’ a prevailing party generally cannot recover attorneys’ fees from the losing party.” (Section III.E.2)

FACTUAL BACKGROUND

Superior Air, a California corporation, employed covered union workers represented by Local Unions 104 and 206. Through Project Subscription Agreements and Project Labor Agreements, Superior Air became obligated to comply with collective bargaining agreements requiring monthly remittance reports and fringe-benefit contributions to Plaintiffs' employee-benefit funds. An audit of records from January 2017 through September 2022 found that Superior Air failed to submit reports and make required contributions from September 2019 through September 2022, resulting in unpaid contributions, interest, liquidated damages, and audit fees.

PROCEDURAL HISTORY

Plaintiffs filed the Complaint on September 18, 2025, and served Superior Air's registered agent on September 22, 2025. Superior Air failed to respond by the October 13, 2025 deadline. The Clerk entered default on October 21, 2025, after which Plaintiffs moved for default judgment. Following a November 21, 2025 hearing and supplemental briefing concerning audit fees, the magistrate judge recommended default judgment totaling \$61,908.64, subject to objections within fourteen days.

DISPOSITION

other

CASES CITED

- Board of Trustees, Sheet Metal Workers' National Pension Fund, et al. v. Broadway Indus., Inc., No. 1:25-cv-1213 (E.D. Va. July 22, 2025)
- Ryan v. Homecomings Fin. Network, 253 F.3d 778, 780 (4th Cir. 2001)
- GlobalSantaFe Corp. v. Globalsantafe.com, 250 F. Supp. 2d 610, 612 n.3 (E.D. Va. 2003)
- Bd. of Trustees, Nat. Stabilization Agreement of Sheet Metal Indus. Tr. Fund v. AKS, LLC, No. 1:14CV97 (LMB/TRJ), 2014 WL 3749710, at *4 (E.D. Va. July 29, 2014)
- Bugher v. Feightner, 722 F.2d 1356, 1359 (7th Cir. 1983)

- Bd. of Trustees, Nat. Stabilization Agreement of Sheet Metal Indus. Tr. Fund v. 5 Starr Serv. & Constr., LLC, No. 1:15-cv-403, 2015 WL 4139226, at *3 (E.D. Va. July 8, 2015)
- Ulloa v. QSP, Inc., 271 Va. 72, 81 (2006)
- Lee v. Mulford, 269 Va. 562, 565 (2005)
- Baker Botts L.L.P. v. ASARCO LLC, 576 U.S. 121, 126 (2015)
- Alyeska Pipeline Serv. Co. v. Wilderness Soc'y, 412 U.S. 240, 260 (1973)
- Robinson v. Equifax Info. Servs., LLC, 560 F.3d 235, 243 (4th Cir. 2009)
- Grissom v. The Mills Corp., 549 F.3d 313, 320 (4th Cir. 2008)
- Barber v. Kimbrell's Inc., 577 F.2d 216, 226 n.28 (4th Cir. 1978)
- Missouri v. Jenkins, 491 U.S. 274, 288 (1989)
- Trustees of the Plumbers & Pipefitters Nat'l Pension Fund v. Chaney Inc., No. 1:15CV1452 (GBL/JFA), 2016 WL 3552108, at *4 (E.D. Va. Apr. 22, 2016), report and recommendation adopted sub nom. Trustees of the Plumbers v. Chaney Inc., No. 1:15-CV-1452, 2016 WL 3552239 (E.D. Va. June 23, 2016)

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