



It is, therefore,

**ORDERED, ADJUDGED and DECREED** that Defendants, their agents, servants, employees, and all persons acting or claiming to act in their behalf and interest be, and they hereby are, permanently enjoined and restrained from violating the provisions of the Act, in any of the following manners:

Defendants shall not, contrary to Sections 7 and 15(a)(2) of the Act, 29 U.S.C. § 207 and 215(a)(2), employ any employees who in any workweek are engaged in commerce or in the production of goods for commerce, or who are employed in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, for workweeks longer than forty hours, unless such employee receives compensation for his employment in excess of forty (40) hours at a rate not less than one and one-half times the employee's regular rate of pay.

Defendants shall not fail to make, keep, and preserve records of employees and of the wages, hours, and other conditions and practices of employment maintained by them as prescribed by the regulations issued, and from time to time amended, pursuant to Section 11(c) of the Act, 29 U.S.C. § 211(c), and found in Title 29, Part 516 of the Code of Federal Regulations.

Further, the Court, finding that the employees are due compensation in the amount of \$1,433,618.50 (inclusive of back wages and liquidated damages), as shown on attached Exhibit A which is incorporated in and made a part hereof, it is **ORDERED, ADJUDGED and DECREED** that Defendants, jointly and severally, shall pay said compensation, plus applicable interest, in accordance with the terms set forth herein. Defendants represent that, to the best of their knowledge and following diligent review and inquiry, they have been in compliance with

the Act since October 19, 2014. In resolving the amount of back wages and liquidated damages in this judgment, Plaintiff has relied on this representation and, accordingly, the back wage and liquidated damages provisions of this judgment shall have no effect upon any back wages and liquidated damages which may have accrued since that date. The back wage and liquidated damages provisions of this judgment shall be deemed satisfied when Defendants deliver to Plaintiff \$716,809.25 plus applicable interest, in back wages, from which deductions for Defendants' employees share of social security and federal withholding taxes will be made by the Department of Labor, and \$716,809.25 plus applicable interest, in liquidated damages, which is not subject to deductions. Defendants, jointly and severally, shall further pay the employers' share of social security and withholding taxes to the appropriate authority for the back wages paid pursuant to this judgment. The payments (back wages and liquidated damages, plus interest as applicable) shall be made in the form of certified checks in the gross amounts due, made payable to "Wage and Hour Division—Labor," as follows:

- No later than May 6, 2016: *liquidated damages*: **\$508,934.56**
- No later than August 1, 2016: *liquidated damages*: \$207,874.69 (principle) + \$685.99 (interest) = **\$208,560.68 (total)**
- No later than August 1, 2016: *back wages*: \$301,059.87 (principle) + \$993.50 (interest) = **\$302,053.36 (total)**
- No later than December 1, 2016: *back wages*: \$415,749.37 (principle) + \$2,785.52 (interest) = **\$418,534.89 (total)**

The checks shall be sent directly to:

U.S. Department of Labor  
Wage and Hour Division  
Northeast Region  
The Curtis Center, Suite 850 West

170 South Independence Mall West  
Philadelphia, PA 19106-3317  
Attention: Mary Doughty

A copy of said checks shall also be mailed to the following address: U.S. Department of Labor, Wage and Hour Division, Boston District Office, JFK Building, Room 525, 15 New Sudbury Street, Boston, MA 02203.

On or before 10 days from the entry of this judgment Defendants shall deliver jointly and severally to the United States Department of Labor, Wage and Hour Division, Northeast Regional Office, The Curtis Center, Suite 850 West, 170 S. Independence Mall West, Philadelphia, PA 19106, a statement showing the following: employers' Federal ID number(s), the name of each employee listed in Exhibit A, and each employee's current address and social security number (to the extent known by Defendants).

When recovered wages have not been claimed by an employee within three years, because of inability to locate the employee or because of the employee's refusal to accept such sums, the Secretary of Labor shall deposit the wages into the United States Treasury as miscellaneous receipts, pursuant to 29 U.S.C. § 216(c).

Defendants shall not, under any circumstances, solicit repayment of any amount paid to any employee in connection with this judgment. In the event any such amount is received from any employee, Defendants shall immediately remit such amount to the U.S. Department of Labor at the Philadelphia, PA address set forth above.

It is also ORDERED, ADJUDGED and DECREED that Defendants shall pay, jointly and severally, the civil money penalties issued pursuant to Section 16(e) of the Act, 29 U.S.C. § 216(e), and 29 C.F.R. §§ 578.1–578.4, in the amount of \$100,000.00, plus interest at the rate of 1% per annum, to the Wage and Hour Division. The civil money penalty portion of this

judgment will be deemed satisfied when Defendants deliver to Plaintiff \$100,670.00, inclusive of interest, no later than December 1, 2017. This civil money penalty payment shall be made in the form of a certified check made payable to "Wage and Hour Division—Labor" and sent directly to:

U.S. Department of Labor  
Wage and Hour Division  
Northeast Region  
The Curtis Center, Suite 850 West  
170 South Independence Mall West  
Philadelphia, PA 19106-3317  
Attention: Mary Doughty

As with the back wage payments, a copy of said civil penalty check shall also be mailed to the following address: U.S. Department of Labor, Wage and Hour Division, Boston District Office, JFK Building, Room 525, 15 New Sudbury Street, Boston, MA 02203.

It is also ORDERED, ADJUDGED and DECREED that on or before 30 days from the entry of this judgment Defendants United Plastics and ASI will independently each engage one or more qualified, independent consultant(s) with specific knowledge and experience regarding the requirements of the Act, who may be the same individual(s) for each Defendant. The consultant(s) shall provide an initial consultation to create a system or systems which will ensure that each of said Defendants' pay and recordkeeping practices are in compliance with the Act's requirements, and will, on a quarterly basis, beginning on or before 60 days from the entry of this judgment and ending two (2) years plus sixty (60) days from the date of entry of this judgment, review said Defendants' pay and recordkeeping practices for the period of time after the initial consultation and the creation of the system or systems referenced above and submit a report to

the District Director of the Boston District Office of the Wage and Hour Division, JFK Federal Building, Room 525, Boston, MA 02203, which report shall address any and all pay and/or recordkeeping problems revealed by the review, and shall detail any and all corrective actions taken by Defendants.

It is further ORDERED, ADJUDGED and DECREED that each party shall bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.

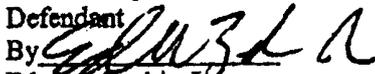
Dated: June 22, 2016

Defendants hereby consent to entry of this judgment.

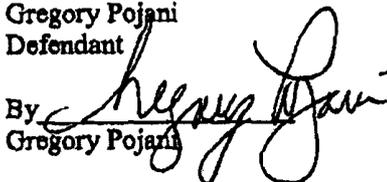
United  
Defendant

By   
Jonathan Sigel, Esq.  
Mirick, O'Connell Attorneys at Law

Edward Zephir, Jr.  
Defendant

By   
Edward Zephir, Jr.

Gregory Pojani  
Defendant

By   
Gregory Pojani

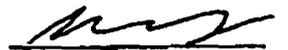
John Bergeron  
Defendant



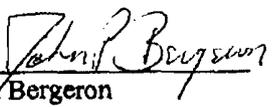
United States District Judge  
DAVID H. WHINNESSY  
MAGISTRATE  
Plaintiff moves for entry of  
this judgment:

M. Patricia Smith  
Solicitor of Labor

Michael D. Felsen  
Regional Solicitor

  
Susan G. Salzberg  
Senior Trial Attorney  
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By   
John Bergeron

ASI  
Defendant

By \_\_\_\_\_  
Paul Katz, Esq.

Mohammed (Eric) Islam  
Defendant

By \_\_\_\_\_  
Mohammed (Eric) Islam

By \_\_\_\_\_  
John Bergeron

ASI  
Defendant

By Paul Katz, as attorney for ASI staffing.  
Paul Katz, Esq.

Mohammed (Eric) Islam  
Defendant

By Mohammed  
Mohammed (Eric) Islam