

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MARTIN J. WALSH, Secretary of Labor, United States Department of Labor,

Plaintiff,

v.

CINC SOLUTIONS, LTD, an Ohio Corporation;

ADVANCED COMMUNICATIONS COMPANY
DBA TEL-COM SYSTEMS OF OHIO, an Ohio Corporation;

CINC SOLUTIONS, LTD SIMPLE IRA PLAN, an employee benefit plan; and

TREVOR BILLS, an individual;

Defendants.

Civil Action File

No. 5: 21-cv-01374

CONSENT ORDER AND JUDGMENT

Plaintiff Martin J. Walsh, Secretary of Labor, United States Department of Labor, (“The Secretary”) filed a complaint against defendants Advanced Communications Company (“ACC”) dba Tel-Com Systems of Ohio (“TCS”), an Ohio Corporation; CINC Solutions, LTD (“CINC”), an Ohio Corporation; and Trevor Bills (“Bills”), an individual (collectively “Defendants”) pursuant to the provisions of the Employee Retirement Income Security Act of 1974 (“ERISA”), as amended, 29 U.S.C. §1001, *et seq.*, with respect to the administration of the CINC Solutions, LTD SIMPLE IRA Plan (“Plan”).

Defendants waive service of process and answer and admit to the jurisdiction of this Court over them and the subject matter of this action.

The Secretary and Defendants agree to resolve all claims and issues between and among them regarding the captioned matter, and do now accordingly consent to the entry of this Consent Judgment and Order (“Judgment”) by the Court.

Prior to the filing of the complaint in this matter, Defendants restored to the Plan all untimely remitted contributions, plus lost opportunity costs, owed to the Plan for the period March 2016 to May 2018. Specifically, during 2016, Defendants restored to the Plan \$3,112.36 in untimely remitted employee contributions. On June 15, 2021, Defendants restored to the Plan \$25,463.91, consisting of \$10,105.75 in untimely remitted employee contributions, \$3,474.73 in lost opportunity costs on the untimely remitted employee contributions, \$10,068.99 in untimely remitted employer contributions, and \$1,814.44 in lost opportunity costs on the untimely remitted employer contributions. The Secretary has confirmed the payment of these amounts.

Upon consideration of the record herein, and as agreed to by the parties, the Court finds that it has jurisdiction to enter this Consent Order and Judgment.

IT IS THEREFORE ORDERED that:

1. Defendants ACC, CINC, and Bills are permanently enjoined and restrained from violating the provisions of Title I of ERISA, 29 U.S.C. §1001, *et seq.*
2. Defendant Bills is permanently enjoined from serving or acting as a fiduciary or service provider with respect to any employee benefit plan subject to ERISA.
3. Each party agrees to bear his, her or its own attorneys’ fees, costs, and other expenses incurred by such party in connection with any stage of this proceeding to date including, but not limited to, attorneys’ fees which may be available under the Equal Access to Justice Act, as amended.
4. The Court shall maintain jurisdiction over this matter for purposes of enforcing this Consent Judgment and Order.

5. Nothing in this Order is binding on any government agency other than the United States Department of Labor.

DATED: October 4, 2021

/s/ John R. Adams
UNITED STATES DISTRICT JUDGE

The parties hereby consent to the entry of this consent order and judgment:

Dated: July 16, 2021

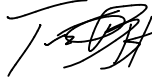
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Individually, and on behalf of Defendants
CINC Solutions, LTD; Advanced
Communications Company; and the
CINC Solutions, LTD SIMPLE IRA Plan:



TREVOR BILLS

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