

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-30103

ASBESTOS WORKERS LOCAL 53 PENSION FUND;
ASBESTOS WORKERS LOCAL 53 WELFARE FUND;
ASBESTOS WORKERS LOCAL 53 VACATION FUND;
ASBESTOS WORKERS LOCAL 53 APPRENTICESHIP
FUND,

Plaintiffs-Appellees,

versus

INTERNATIONAL MAINTENANCE CORPORATION,

Defendant-Appellant.

Appeal from the United States District Court for the
Eastern District of Louisiana, New Orleans
USDC No. 98-CV-2017-J

December 21, 2000

Before JOLLY and DAVIS, Circuit Judges, and RESTANI, Judge.*

PER CURIAM:**

After a review of the briefs and records in this case, and consideration of the arguments of counsel, we affirm the district court's judgment. We conclude that the district court did not err in holding that Asbestos Workers Local 53 Pension Fund and the other benefit trust funds in this case have standing to recover

*Judge of the U.S. Court of International Trade, sitting by designation.

**Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

benefit contributions, and that International Maintenance Corporation ("IMC") violated the collective bargaining agreement ("CBA"). Furthermore, we note that IMC did not meet the burden of proof necessary to show that it complied with the hiring hall clause of the CBA in hiring Raymond Aymond and Jerry Bendily. The judgment of the district court is, therefore,

A F F I R M E D .