

**U.S. District Court  
Southern District of Florida (Ft Lauderdale)  
CIVIL DOCKET FOR CASE #: 0:23-cv-60124-WPD**

Walsh v. Pension Trust Fund of the Pension, Hospitalization and  
Benefit Plan of the Electrical Industry  
Assigned to: Judge William P. Dimitrouleas  
Cause: 29:1362 ERISA

Date Filed: 01/24/2023  
Jury Demand: Plaintiff  
Nature of Suit: 791 Labor: E.R.I.S.A.  
Jurisdiction: Federal Question

**Plaintiff**

**Michael Walsh**

represented by **Michael Walsh**  
10383 NW 15th Street  
Coral Springs, FL 33071  
Email: telcoman1948@gmail.com  
PRO SE

V.

**Defendant**

**Pension Trust Fund of the Pension,  
Hospitalization and Benefit Plan of the  
Electrical Industry**  
*(This is the plan for members of IBEW  
Local Union 3)*

represented by **Ivelisse Berio LeBeau**  
Attorney Ivelisse Berio LeBeau PLLC  
10320 SW 82nd Ave.  
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305-799-3811  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

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**PRO HAC VICE**  
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**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
05/04/2023	<a href="#">24</a>	ORDER REFERRING CASE to Volunteer Attorney Program. Signed by Judge William P. Dimitrouleas on 5/4/2023. <i>See attached document for full details.</i> (jas) (Entered: 05/04/2023)
05/03/2023	<a href="#">23</a>	MOTION for Referral to Volunteer Attorney Program by Michael Walsh. (jas) (Entered: 05/03/2023)
04/28/2023	<del>21</del> <a href="#">22</a>	Defendant's MOTION TO DISMISS <a href="#">20</a> Amended Complaint/Amended Notice of Removal FOR FAILURE TO STATE A CLAIM by Pension Trust Fund of the Pension, Hospitalization and Benefit Plan of the Electrical Industry. Responses due by 5/12/2023 (Attachments: # <a href="#">1</a> Exhibit A 1983 SPD, # <a href="#">2</a> Exhibit B Pension Denial, # <a href="#">3</a> Exhibit C Appeal Denial, # <a href="#">4</a> Exhibit D 2016 SPD)(LeBeau, Ivelisse) (Entered: 04/28/2023)
04/20/2023	<a href="#">21</a>	ORDER denying as moot <a href="#">17</a> Motion to Dismiss for Failure to State a Claim. Signed by Judge William P. Dimitrouleas on 4/20/2023. <i>See attached document for full details.</i> (jas) (Entered: 04/20/2023)
04/19/2023	<a href="#">20</a>	FIRST AMENDED COMPLAINT against Michael Walsh, filed by Michael Walsh. (jas) (Entered: 04/20/2023)
03/29/2023	<a href="#">19</a>	ORDER granting <a href="#">18</a> Motion for Extension of Time to File Response/Reply to Motion. Responses due by 4/14/2023. Signed by Judge William P. Dimitrouleas on 3/29/2023. <i>See attached document for full details.</i> (jas) (Entered: 03/29/2023)
03/28/2023	<a href="#">18</a>	MOTION for Extension of Time to File Response as to <a href="#">17</a> Motion to Dismiss <a href="#">1</a> Complaint for Failure to State a Claim by Michael Walsh. (Attachments: # <a href="#">1</a> Text of Proposed Order)(jas) (Entered: 03/29/2023)
03/15/2023	<a href="#">17</a>	MOTION TO DISMISS <a href="#">1</a> Complaint FOR FAILURE TO STATE A CLAIM by Pension Trust Fund of the Pension, Hospitalization and Benefit Plan of the Electrical Industry. Responses due by 3/29/2023 (Attachments: # <a href="#">1</a> Exhibit A 1983 SPD, # <a href="#">2</a> Exhibit B Initial Denial, # <a href="#">3</a> Exhibit C Appeal Denial, # <a href="#">4</a> Exhibit D 2016 SPD)(LeBeau, Ivelisse) (Entered: 03/15/2023)
02/20/2023	<a href="#">16</a>	ORDER granting <a href="#">14</a> Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney Peter DeChiara; granting <a href="#">15</a> Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney Kelly Malloy. Signed by Judge William P. Dimitrouleas on 2/21/2023. <i>See attached document for full details.</i> (jas) (Entered: 02/21/2023)
02/16/2023	<a href="#">15</a>	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Kelly Malloy. Filing Fee \$ 200.00 Receipt # AFLSDC-16339145 by Pension Trust Fund of the Pension, Hospitalization and Benefit Plan of the Electrical Industry. Responses due by 3/2/2023 (Attachments: # <a href="#">1</a> Certification of Kelly Malloy, # <a href="#">2</a> Text of Proposed Order)(LeBeau, Ivelisse) (Entered: 02/16/2023)
02/16/2023	<a href="#">14</a>	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Peter DeChiara. Filing Fee \$ 200.00 Receipt # AFLSDC-16339137 by Pension Trust Fund of the Pension,

		Hospitalization and Benefit Plan of the Electrical Industry. Responses due by 3/2/2023 (Attachments: # <a href="#">1</a> Certification of Peter DeChiara, # <a href="#">2</a> Text of Proposed Order)(LeBeau, Ivelisse) (Entered: 02/16/2023)
02/13/2023	<a href="#">13</a>	ORDER granting <a href="#">12</a> Motion for Extension of Time to File Response/Answer to a Complaint or Other Case Initiating Document Pension. Trust Fund of the Pension, Hospitalization and Benefit Plan of the Electrical Industry Response/Answer to complaint due 3/16/2023. Signed by Judge William P. Dimitrouleas on 2/13/2023. <i>See attached document for full details.</i> (jas) (Entered: 02/13/2023)
02/10/2023	<a href="#">12</a>	MOTION for Extension of Time to File Response/Reply/Answer as to <a href="#">1</a> Complaint by Pension Trust Fund of the Pension, Hospitalization and Benefit Plan of the Electrical Industry. (Attachments: # <a href="#">1</a> Text of Proposed Order)(LeBeau, Ivelisse) (Entered: 02/10/2023)
02/10/2023	<a href="#">11</a>	NOTICE of Attorney Appearance by Ivelisse Berio LeBeau on behalf of Pension Trust Fund of the Pension, Hospitalization and Benefit Plan of the Electrical Industry. Attorney Ivelisse Berio LeBeau added to party Pension Trust Fund of the Pension, Hospitalization and Benefit Plan of the Electrical Industry(pty:dft). (LeBeau, Ivelisse) (Entered: 02/10/2023)
02/03/2023	<a href="#">10</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Michael Walsh. Pension Trust Fund of the Pension, Hospitalization and Benefit Plan of the Electrical Industry served on 1/26/2023, response/answer due 2/16/2023. (jas) (Entered: 02/03/2023)
01/27/2023	<a href="#">9</a>	Consent by Pro Se Litigant (Non-Prisoner) Michael Walsh to receive Notices of Electronic Filing at email address: telcoman1948@gmail.com (ls) (Entered: 01/30/2023)
01/26/2023	<a href="#">8</a>	ORDER REQUIRING COUNSEL TO MEET, FILE JOINT SCHEDULING REPORT AND JOINT DISCOVERY REPORT. Joint Scheduling Report due by 1/26/2023 Signed by Judge William P. Dimitrouleas on 1/26/2023. <i>See attached document for full details.</i> (jas) (Entered: 01/26/2023)
01/25/2023	<a href="#">7</a>	CLERK'S NOTICE of Compliance re <a href="#">6</a> Initial Order of Instructions to Pro Se Litigant. (Order mailed to Michael Walsh at 10383 NW 15th Street, Coral Springs, FL 33071). (jas) (Entered: 01/25/2023)
01/24/2023	<a href="#">6</a>	INITIAL ORDER OF INSTRUCTIONS TO PRO SE LITIGANT. Signed by Judge William P. Dimitrouleas on 1/24/2023. <i>See attached document for full details.</i> (jas) (Entered: 01/25/2023)
01/24/2023	<a href="#">5</a>	Clerks Notice of Receipt of Filing Fee received on 1/24/2023 in the amount of \$ 402.00, receipt number 16486 (amb) (Entered: 01/24/2023)
01/24/2023	<a href="#">4</a>	Summons Issued as to Pension Trust Fund of the Pension, Hospitalization and Benefit Plan of the Electrical Industry. (amb) (Entered: 01/24/2023)
01/24/2023	<a href="#">3</a>	Consent by Pro Se Litigant (Non-Prisoner) Michael Walsh to receive Notices of Electronic Filing at email address: telcoman9148@gmail.com (amb) (Entered: 01/24/2023)
01/24/2023	<a href="#">2</a>	Clerks Notice of Judge Assignment to Judge William P. Dimitrouleas.

		<p>Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Panayotta Augustin-Birch is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent.</p> <p>Pro se (NON-PRISONER) litigants may receive Notices of Electronic Filings (NEFS) via email after filing a Consent by Pro Se Litigant (NON-PRISONER) to Receive Notices of Electronic Filing. The consent form is available under the forms section of our website. (amb) (Entered: 01/24/2023)</p>
01/24/2023	<a href="#"><u>1</u></a>	COMPLAINT against Pension Trust Fund of the Pension, Hospitalization and Benefit Plan of the Electrical Industry. Filing fees \$ 402.00, filed by Michael Walsh. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet)(amb) (Entered: 01/24/2023)