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YOLANDA COLEMAN-OWENS

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

TRUSTEES OF THE OPERATING
ENGINEERS PENSION TRUST,

Plaintiff,

v.

YOLANDA COLEMAN-OWENS, an
individual and JACQUELINE B. OWENS,
an individual,

Defendant.

Case No. CV 09-07317 AHM
(AGRx)

JUDGMENT

Judge: Hon. A. Howard Matz

1 This action having been commenced on October 7, 2009, and the Court
2 having approved the stipulation of the parties for entry of judgment, and for good
3 cause shown:

4 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

5 1. Yolanda Coleman-Owens ("Yolanda") is deemed to be the surviving
6 spouse on David Owens' ("Owens") account with the Operating Engineers Pension
7 Trust ("Trust") with respect to seventy-five percent (75%) of the monthly pension
8 benefits payable on Owens' account, subject to adjustments set out in paragraph 3
9 below.

10 2. Jacqueline B. Owens ("Jacqueline") is deemed to be the surviving
11 spouse on Owens' account with the Trust with respect to twenty-five percent (25%)
12 of the monthly pension benefits payable on Owens' account, subject to adjustments
13 set out in paragraph 3 below.

14 3. The Trust was awarded attorneys' fees of \$11,607.00 (Dkt. 27),
15 incurred by the Trust in bringing this interpleader action, and such fees shall be
16 deducted from the pension benefits payable on Owens' account prior to the Trust
17 making any payments to either Yolanda or Jacqueline. Yolanda and Jacqueline
18 have both elected to be paid benefits as a Single Life Annuity. From May 1, 2008,
19 through September 1, 2010, the Trust withheld pension benefits in the amount of
20 \$39,765.00 (which includes a one-time \$1,875.00 lump sum payment payable on
21 Owens' account to Yolanda and a one-time \$625.00 lump sum payment to
22 Jacqueline). The amount of \$11,607.00 shall be withheld by the Trust and applied
23 to the Trust's attorneys' fees. The remaining \$28,158.00 of withheld pension
24 benefits payable on Owens' account shall be paid to Yolanda and Jacqueline in
25 accordance with the percentages set forth in paragraphs 1 and 2 hereinabove.
26 Accordingly, out of the remaining withheld funds, Yolanda shall be paid
27 \$21,118.50 and Jacqueline shall be paid \$7,039.50.

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4. Beginning the first month after the Court enters Judgment and after the amounts set fourth in paragraph 3 hereinabove are paid, the Trust shall pay Yolanda \$964.00 [seventy-five percent (75%)] of each subsequent monthly pension benefit payable on Owens' account with the Trust. The Trust shall pay Jacqueline \$321.00 [twenty-five percent (25%)] of each subsequent monthly pension benefit payable on Owens' account with the Trust.

This order constitutes a final judgment under the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

Dated: September 13, 2010

JS-6



The Honorable A. Howard Matz
United States District Court Judge