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E-FILED 09/21/11  
 CLOSED

5 Attorneys for Defendant SOUTHWEST  
 6 REGIONAL COUNCIL OF CARPENTERS

7  
 8 UNITED STATES DISTRICT COURT  
 9 CENTRAL DISTRICT OF CALIFORNIA

11	SOUTHWEST REGIONAL	}	CASE NO. LACV-11-6611 PSG (SSx)
12	COUNCIL OF CARPENTERS,		
13	Petitioner,	}	[PROPOSED] JUDGMENT CONFIRMING ARBITRATION AWARD
14	v.		
15	DARRACQ CONCRETE,	}	
16	Respondent.		

17 Upon consideration of the contentions of Petitioner Southwest Regional  
 18 Council of Carpenters' unopposed Petition to Confirm Arbitration Award, and this  
 19 Court having jurisdiction under Section 301 of the Labor Management Relations  
 20 Act, 29 U.S.C. § 185, and good cause appearing therefor,

21 IT IS HEREBY ORDERED AND ADJUDGED that the Award issued by  
 22 Arbitrator Edna Francis on May 12, 2011, is hereby confirmed and enforced, and  
 23 Respondent Darracq Concrete shall comply with the Award, including the  
 24 following remedy:

25 To remedy the violation, [Darracq Concrete] shall reinstate Grievant  
 26 [Cynthia Norwood] to employment and shall award her pay and  
 27 benefits she would have earned but for the unlawful termination of  
 28 employment. At a minimum, the award shall cover the period from  
 the date of termination of employment to the date of [Darracq  
 Concrete]'s receipt of this award. In calculating the amount of back  
 pay to be awarded, [Darracq Concrete] may deduct from the amount

1 of back pay otherwise due (a) the amount of Grievant's earnings, if  
2 any, from interim employment and (b) the amount of any  
overpayment not recovered by [Darracq Concrete].

3 IT IS FURTHER ORDERED AND ADJUDGED that, pursuant to  
4 California Civil Code Section 3289(b), Respondent Darracq Concrete must pay an  
5 interest at a rate of ten (10) percent per annum from the time of the breach until  
6 full satisfaction of the arbitration award.

7 This Court retains jurisdiction for purposes of confirming and enforcing any  
8 further award made by the arbitrator.

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
10 SOUTHWEST REGIONAL COUNCIL OF CARPENTERS has a judgment  
11 against DARRACQ CONCRETE, as follows:

12	1. Lost pay for the 462 hours of lost time	\$8,630.16
13	between February 15, 2011 to May 13, 2011	
	at the rate of \$18.68 per hour	
14	2. Interest of ten (10) percent per annum on \$8,630.16,	\$510.72
15	pursuant to California Civil Code Section 3289(b),	
16	from the time of the breach on February 15, 2011	
	to September 1, 2011, the date of the Order	
	confirming the Arbitration Award	
17	TOTAL TO CYNTHIA NORWOOD	\$9,140.88
18	3. Lost benefits for the 462 hours of lost time	\$3,229.38
19	between February 15, 2011 to May 13, 2011	
	at the rate of \$6.99 per hour	
20	4. Interest of ten (10) percent per annum on \$3,229.38,	\$191.11
21	pursuant to California Civil Code Section 3289(b),	
22	from the time of the breach on February 15, 2011	
	to September 1, 2011, the date of the Order	
	confirming the Arbitration Award	
23	TOTAL TO THE CARPENTERS SOUTHWEST	\$3,420.49
24	ADMINISTRATIVE CORPORATION	
25	GRAND TOTAL	\$12,561.37

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This Court retains jurisdiction for purposes of confirming and enforcing any further award made by the arbitrator.

IS IT SO ADJUDGED,

DATE: 09/21, 2011

**PHILIP S. GUTIERREZ**

\_\_\_\_\_  
Judge Philip S. Gutierrez  
Judge of the United States District Court

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**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is DeCARLO, CONNOR & SHANLEY, a Professional Corporation, 533 South Fremont Avenue, Ninth Floor, Los Angeles, California 90071-1706.

On September 19, 2011, I served the foregoing document described as [PROPOSED] JUDGMENT CONFIRMING ARBITRATION AWARD on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

DARRACQ CONCRETE  
420 North Mckinley Street, # 111-160  
Corona, CA 92879

(BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at Los Angeles, California.

(BY FACSIMILE) at approximately \_\_\_\_\_ p.m.

Executed on September 19, 2011, at Los Angeles, California.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(FEDERAL) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

/s/ Nelly Caywood  
Nelly Caywood