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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SEIU, LOCAL 1877,

Petitioner,

v.

CLEAN RITE JANITORIAL SERVICES,
LLC,

Respondent.

Case No. 2:12-cv-03196-ODW(JCGx)

**ORDER GRANTING MOTION FOR
DEFAULT JUDGMENT [13]**

Before the Court is Petitioner SEIU, Local 1877's Motion for Default Judgment against Respondent Clean Rite Janitorial Services, LLC. (ECF No. 13.) The Clerk entered default against Clean Rite on July 20, 2012. (ECF No. 12.) Clean Rite did not oppose SEIU's Motion for Default Judgment. The Court deems this matter appropriate for decision without oral argument. *See* Fed. R. Civ. P. 78; C.D. Cal. L.R. 7-15.

Having carefully considered Plaintiff's motion papers, pleadings, and supporting declarations in light of the seven factors enumerated in *Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9th Cir. 1986), the Court finds sufficient evidence to confirm the Arbitration Decision and Award and the Supplemental Award. The Court therefore **GRANTS** SEIU's Motion and hereby **CONFIRMS** the November 10, 2009 Arbitration Decision and Award and April 23, 2011 Supplemental Award, both issued

by Arbitrator Louis M. Zigman in favor of SEIU, Local 1877 and against Clean Rite Janitorial Services LLC, for a total award of **\$409,736.80**.

SEIU also seeks attorney's fees and costs as a result of Clean Rite's bad-faith refusal to abide by the arbitrator's award. *See Int'l Union of Petroleum & Indus Workers v. W. Indus. Maint., Inc.*, 707 F.2d 425 (9th Cir. 1983). The Court finds sufficient evidence of bad faith to **GRANT** SEIU's request. With respect to SEIU's request for attorneys' fees, the Court finds that the requested fees are based on reasonable rates and hours expended. *See Van Gerwen v. Guarantee Mut. Life Co.*, 214 F.3d 1041, 1045 (9th Cir. 2000). The Court therefore **GRANTS** SEIU's request for attorney's fees in the amount of **\$5,693.75**. The Court likewise **GRANTS** SEIU's request for costs incurred in this action, subject to proper proof of SEIU's costs before the Clerk of Court in an Application to the Clerk to Tax Costs.

For the reasons discussed above, SEIU's Motion for Default Judgment is **GRANTED** in its entirety. Judgment will be entered against Clean Rite Janitorial Services in a subsequently filed Judgment in the amount of **\$415,430.55** plus costs, subject to proof.

IT IS SO ORDERED.

August 21, 2012

**HON. OTIS D. WRIGHT, II
UNITED STATES DISTRICT JUDGE**