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JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

CONSTRUCTION LABORERS TRUST
FUNDS FOR SOUTHERN
CALIFORNIA ADMINISTRATIVE
COMPANY, a Delaware limited liability
company,

Plaintiff,

vs.

JMS AIR CONDITIONING AND
APPLIANCE SERVICE, INC., a
California corporation also known as and
doing business as JMS A/C & HEATING;
AMERICAN CONTRACTORS
INDEMNITY COMPANY, a California
corporation,

Defendants.

CASE NO.: CV15-05581 DDP (AJWx)

JUDGMENT PURSUANT TO
STIPULATION

Pursuant to the Stipulation for Entry of Judgment by and between Plaintiff,
CONSTRUCTION LABORERS TRUST FUNDS FOR SOUTHERN CALIFORNIA
ADMINISTRATIVE COMPANY, a Delaware limited liability, and Defendants, JMS
AIR CONDITIONING AND APPLIANCE SERVICE, INC., a California corporation
also known as and doing business as JMS A/C & HEATING and YOSSEF MESICA
an individual also known as JOE MESICA and good cause appearing therefor,

///

1 IT IS HEREBY ORDERED that Judgment is entered in favor of
2 CONSTRUCTION LABORERS TRUST FUNDS FOR SOUTHERN CALIFORNIA
3 ADMINISTRATIVE COMPANY, a Delaware limited liability company an
4 administrator and agent for collection of several employee benefit plans, and a
5 fiduciary as to those plans including the Laborers Health And Welfare Trust Fund For
6 Southern California, Construction Laborers Pension Trust For Southern California,
7 Construction Laborers Vacation Trust For Southern California, Laborers Training And
8 Re-Training Trust Fund For Southern California, Fund For Construction Industry
9 Advancement, Center For Contract Compliance, Laborers Contract Administration
10 Trust Fund For Southern California, Laborers' Trusts Administrative Trust Fund For
11 Southern California, and Southern California Partnership For Jobs Trust Fund, and
12 against JMS AIR CONDITIONING AND APPLIANCE SERVICE, INC., a
13 California corporation also known as and doing business as JMS A/C & HEATING
14 ("EMPLOYER") and YOSSEF MESICA an individual also known as JOE MESICA
15 ("MESICA") in the principal sum of \$205,891.46 and of this amount, MESICA shall
16 be individually, jointly and severally liable with EMPLOYER for the sum of
17 \$164,039.28 covering the period from October 1, 2008 to February 28, 2016
18 ("JUDGMENT").

19
20 The money JUDGMENT entered in this action is for known delinquencies
21 incurred for the period from October 1, 2008 to February 28, 2016 ; however, the
22 TRUST FUNDS, EMPLOYER and MESICA have stipulated that since the audit of
23 EMPLOYER'S records covered the period through January 31, 2016 only; if any
24 additional amounts are discovered to be owed by EMPLOYER and/or MESICA after
25 January 2016, the money judgment in this action shall not operate as a bar and/or
26 have res judicata effect or any other limitation of any legal right of the Plaintiff or

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1 TRUST FUNDS to determine and seek collection of any amount due, or that comes
2 due by EMPLOYER and/or MESICA after January 2016.

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DATED: October 17, 2016



DEAN D. PREGERSON
UNITED STATES DISTRICT JUDGE