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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11
12 CONSTRUCTION LABORERS
TRUST FUNDS FOR SOUTHERN
13 CALIFORNIA ADMINISTRATIVE
COMPANY etc.,

14 Plaintiff,

15 v.

16 ATHENA MARIA VLACHOS etc.,
17 et al.,

18 Defendants.
19
20

CASE NO.: CV 17-8096 JFW (AGR_x)

**JUDGMENT AGAINST ATHENA
MARIA VLACHOS**

21
22 Default has been entered against defendant Athena Maria Vlachos an individual
23 doing business as Commercial Construction Cleaning Resources (“VLACHOS” where
24 not referred to by her full above-captioned name) for her failure to answer or
25 otherwise respond to the complaint of the plaintiff (“ADMINCO” where not referred
26 to by its full above-captioned name). [*See Court Document 29* (entry of default).]
27 ADMINCO has filed a motion for judgment by default against VLACHOS. Based
28 upon ADMINCO's motion, the declarations submitted in support thereof, and all other
records and documents on file, the Court finds that there is no just reason or cause for

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2 delay in the entry of a final judgment in favor of ADMINCO and against VLACHOS,
3 and grants judgment as follows:

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5 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

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7 **1. JUDGMENT IS HEREBY ENTERED IN FAVOR OF THE**
8 **PLAINTIFF**, Construction Laborers Trust Funds for Southern California
9 Administrative Company, a Delaware limited liability company, an administrator of,
10 agent for collection for, fiduciary to, and on behalf of the Laborers Health and Welfare
11 Trust Fund for Southern California, Construction Laborers Pension Trust for Southern
12 California, Construction Laborers Vacation Trust for Southern California, Laborers
13 Training and Re-Training Trust Fund for Southern California, Fund for Construction
14 Industry Advancement, Center for Contract Compliance, Laborers Contract
15 Administration Trust Fund for Southern California, Laborers' Trusts Administrative
16 Trust Fund for Southern California, and Southern California Partnership for Jobs
17 Trust Fund (hereinafter "Trust Funds" where referenced collectively), and **AGAINST**
18 **DEFENDANT ATHENA MARIA VLACHOS, AN INDIVIDUAL DOING**
19 **BUSINESS AS COMMERCIAL CONSTRUCTION CLEANING RESOURCES,**
20 **IN THE AMOUNT OF \$52,239.41**, consisting of the following amounts due for the
21 period January 2013 through May 2018: (a) a principal amount of \$48,265.01
22 (including \$30,290.27 in unpaid fringe benefit contributions, \$3,575.12 in interest,
23 \$11,252.53 in liquidated damages, \$3,200.00 in audit fees and \$35.00 in insufficient
24 funds check fees, minus a credit of \$87.91); (b) attorneys' fees of \$3,495.90; and
25 (c) costs of \$478.50.

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27 **2.** The Trust Funds have not conducted an audit of the records of defendant
28 Athena Maria Vlachos, an individual doing business as Commercial Construction
Cleaning Resources, for any month after September 2016. The monetary judgment

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2 issued hereby in paragraph 1 above shall not, and does not, have *res judicata* effect,
3 operate as a bar or effect any other limitation of any right of the Trust Funds or any
4 individual Trust Fund (including ADMINCO on behalf of the Trust Funds or any
5 individual Trust Fund) to determine and collect any additional amounts due by
6 defendant Athena Maria Vlachos for months after September 2016.

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8 **3. FINAL AND PERMANENT INJUNCTIVE RELIEF IS HEREBY**
9 **GRANTED AS FOLLOWS:** Defendant Athena Maria Vlachos an individual doing
10 business as Commercial Construction Cleaning Resources is hereby ordered to submit
11 to a full audit for the period October 2016 through the date of the audit, to fully
12 cooperate with ADMINCO and the Trust Funds with respect to the audit in order for
13 them to determine the total amount due to the Trust Funds, and, specifically, to
14 produce to ADMINCO and the Trust Funds the following records – and any other
15 records determined by ADMINCO or the Trust Funds to be necessary to conduct a full
16 audit – for inspection, examination and copying:

17
18 3.A. All of VLACHOS’s payroll and employee records, as well
19 as any other records that might be relevant to a determination of the work performed
20 by VLACHOS, her employees, her subcontractors, her lower-tier subcontractors and
21 the employees of VLACHOS’s subcontractors and lower-tier subcontractors,
22 including but not limited to payroll journals, employee earnings records, certified
23 payroll records, payroll check books and stubs, cancelled payroll checks, payroll time
24 cards and state and federal tax returns (and all other state and federal tax records), as
25 well as labor distribution journals and any other records that might be relevant to an
26 identification of the employees who performed work for VLACHOS, her
27 subcontractors or lower-tier subcontractors, or which might be relevant to a
28 determination of the projects on which VLACHOS, her employees, her
subcontractors, lower-tier subcontractors or the employees of her subcontractors or

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2 lower-tier subcontractors performed work, including any records that provide the
3 names, addresses, Social Security numbers, job classification or the number of hours
4 worked by any one or more employee;

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6 3.B. All of VLACHOS's job files for each contract, project or job
7 on which VLACHOS, her employees, her subcontractors, her lower-tier
8 subcontractors or the employees of her subcontractors or lower-tier subcontractors
9 worked, including but not limited to all correspondence, agreements and contracts
10 between VLACHOS and any general contractor, subcontractor, owner, builder or
11 developer, as well as all field records, job records, notices, project logs, supervisors'
12 diaries and notes, employees' diaries and notes, memoranda, releases and any other
13 records that relate to the supervision of VLACHOS's employees, her subcontractors,
14 her lower-tier subcontractors or the employees of her subcontractors and lower-tier
15 subcontractors, or the projects on which VLACHOS, her employees, her
16 subcontractors, her lower-tier subcontractors or the employees of her subcontractors
17 or lower-tier subcontractors performed work;

18
19 3.C. All of VLACHOS's records related to cash receipts,
20 including but not limited to VLACHOS's cash receipts journals, accounts receivable
21 journals, accounts receivable subsidiary ledgers and billing invoices for all contracts,
22 projects and jobs on which VLACHOS, her employees, her subcontractors, her lower-
23 tier subcontractors or the employees of her subcontractors or lower-tier subcontractors
24 performed work;

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26 3.D. All of VLACHOS's bank statements, including but not
27 limited to those for all checking, savings and investment accounts;

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3.E. All of VLACHOS's records related to disbursements,

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2 including but not limited to vendors' invoices, cash disbursement journals, accounts
3 payable journals, check registers and all other records which indicate disbursements;

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5 3.F. All collective bargaining agreements between VLACHOS
6 and any trade union, and all records of contributions by VLACHOS to any trade union
7 trust fund; and

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9 3.G. All records related to the formation, licensing, renewal or
10 operation of Commercial Construction Cleaning Resources.

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12 **4. FINAL AND PERMANENT INJUNCTIVE RELIEF IS HEREBY**
13 **GRANTED AS FOLLOWS:** Defendant Athena Maria Vlachos, an individual doing
14 business as Commercial Construction Cleaning Resources, is hereby ordered to
15 deliver, or cause to be delivered:

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17 4.A. The following to the Trust Funds' offices within thirty (30) days of
18 service of this judgment by ADMINCO on VLACHOS by mail to the address at
19 which the complaint in this action was served: all past due monthly fringe benefit
20 contribution report forms due by VLACHOS to the Trust Funds, truthfully and
21 accurately completed and identifying all employees for whom fringe benefit
22 contributions are owed to the Trust Funds by VLACHOS and their Social Security
23 numbers, and, itemized by person and project, the hours of work performed for which
24 the fringe benefit contributions are due.

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26 4.B. The following to the Trust Funds' offices no later than 4:30 p.m. on
27 the 15th day of each month for the duration of the Agreements:

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4.B.1. Truthfully and accurately completed monthly fringe


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2 benefit contribution reports covering all of VLACHOS's accounts with the Trust
3 Funds in existence at the time of delivery, collectively identifying all persons for
4 whom fringe benefit contributions are owed to the Trust Funds for the previous month
5 and their Social Security numbers, and, itemized by person and project, the hours of
6 work performed for which the fringe benefit contributions are due;

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8 4.B.2. An affidavit or declaration from VLACHOS
9 attesting under penalty of perjury to the completeness, truthfulness and accuracy of
10 each monthly fringe benefit contribution report submitted; and

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12 4.B.3. A cashier's check or checks made payable to the
13 "Construction Laborers Trust Funds for Southern California" totaling the full amount
14 of fringe benefit contributions due by VLACHOS to the Trust Funds for the previous
15 month (as set forth on the fringe benefit contribution report(s) submitted).

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17 **THE FAILURE TO COMPLY WITH AN INJUNCTION ISSUED HEREBY**
18 **SHALL BE GROUNDS FOR CONTEMPT OF COURT.**

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21 Dated: September 4, 2018



JOHN F. WALTER
United States District Judge