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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

ANGELINA BOWEN DELGADO, an individual, *et al.*,

Plaintiffs,

v.

ILWU-PMA WELFARE PLAN, an employee health and welfare plan under the Employee Retirement Income Security Act, and DOES 1 through 20, inclusive,

Defendants.

Case No. 2:18-cv-05539-CBM-E

~~PROPOSED~~ FINAL JUDGMENT

Hon. Consuelo B. Marshall

JSB

Action Filed: June 21, 2018
Trial Date: April 18, 2023

epw

1 TO THE HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS
2 OF RECORD HEREIN:

3 PLEASE TAKE NOTICE THAT on April 18, 2023, after consideration of the
4 parties' briefs, including supplemental filings (Dkt. Nos. 144, 148, 193, 199, 204, 206,
5 327, 328), this action came on regularly for bench trial before the Honorable Consuelo B.
6 Marshall, United States District Judge Presiding. Plaintiffs Angelina Bowen Delgado, et
7 al. ("Plaintiffs"), appeared through their attorneys of record, Elizabeth Green and Glenn
8 Kantor of Kantor and Kantor LLP. Defendant ILWU-PMA Welfare Plan (the "Plan"),
9 appeared through their attorneys of record Ian H. Morrison and Ryan R. Tikker of
10 Seyfarth Shaw LLP, and Gillian Teng of Leonard Carder LLP.

11 After considering the evidence and the arguments of the parties, the Court enters
12 judgment as follows:

13 The Court enters judgment in favor of the Plan with respect to the Plaintiffs'
14 facility fee claims. Plaintiffs shall take nothing on their claims for facility fees.

15 With respect to the Plaintiffs' professional fee claims:

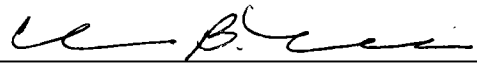
- 16 1. Judgment is entered for the Plan on Plaintiff Cline's professional fee claim for date
17 of service August 28, 2014.
- 18 2. Judgment is entered for the Plan on Plaintiff Marquez's professional fee claim for
19 date of service November 20, 2014.
- 20 3. Judgment is entered for the Plan on Plaintiff Sylvia Dominguez's professional fee
21 claims for medical services on May 16, 2013, May 30, 2013, and November 7,
22 2013.
- 23 4. Judgment is entered for the Plan with respect to Plaintiff Raul Fuentes's
24 professional fee claim on June 5, 2014.
- 25 5. Judgment is entered for the Plan on Plaintiff Hurtado's professional fee claim for
26 date of service of January 10, 2013.
- 27 6. Judgment is entered for the Plan on Plaintiff Maunder's professional fee claim for
28 date of service of May 15, 2014.

- 1 7. Judgment is entered for the Plan on Plaintiff Svorinich's professional fee claim for
2 date of service of March 10, 2011.
- 3 8. Judgment is entered for the Plan on Plaintiff Ponce's professional fee claims for
4 dates of service of August 29, 2013 and November 14, 2013.
- 5 9. Judgment is entered for the Plan on Plaintiff Morales's professional fee claim for
6 date of service of August 22, 2016.
- 7 10. Judgment is entered for the Plan on Plaintiff S. Torres's professional fee claim for
8 date of service of October 31, 2013.
- 9 11. Judgment is entered for the Plan on Plaintiff Wu's professional fee claim for date
10 of service August 22, 2016.
- 11 12. Plaintiffs shall take nothing on any other claims and judgment is entered for the
12 Plan on any claim not enumerated above.

13
14 Defendant may file a noticed motion for attorneys' fees and costs following entry of
15 judgment.

16
17 **IT IS SO ORDERED.**

18
19 Dated: 3/6/24



20 Honorable Consuelo B. Marshall
21 United States District Court Judge