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JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, EASTERN DIVISION

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

Plaintiff,

vs.

WEST COAST STRUCTURES, INC., a  
California corporation dba WESTERN  
STRUCTURES; BRIAN MATHEW  
SKAJEM, an individual,

Defendants.

Case No.: 5:18-cv-00490-JWH-SPx

Hon. John W. Holcomb

**JUDGMENT**

Pursuant to this Court’s Order Granting Plaintiff’s Motion for Summary Judgment of September 10, 2020,<sup>1</sup> and the Order Granting Plaintiff’s Motion for Attorney Fees and Costs of November 3, 2020,<sup>2</sup> **JUDGMENT** is hereby entered as follows:

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1 Dkt. No. 173.

2 Dkt. No. 183.

1 I. On the First Claim for delinquent contributions to employee benefit  
2 plans, under 29 U.S.C. §§ 185(a), 1132(g)(2), and 1145, in **FAVOR** of Plaintiff  
3 Construction Laborers Trust Funds For Southern California Administrative  
4 Company, and **AGAINST** Defendant West Coast Structures, Inc., dba Western  
5 Structures (Employer), arising in the period of September 2012 through May 2018,  
6 for:

|                      |                     |
|----------------------|---------------------|
| 7 Contributions:     | \$248,063.64        |
| 8 Interest           | \$ 97,360.36        |
| 9 Liquidated Damages | \$340,288.79        |
| 10 Audit Costs       | <u>\$ 21,400.00</u> |

11 **TOTAL: \$707,112.79** (exclusive of fees and costs)

12 II. The Second Claim is **DISMISSED** as moot, without prejudice.

13 III. On the Third Claim, for violation of fiduciary duties under 29 U.S.C.  
14 §§ 1104(a)(1), 1109(a), and 1132(a)(2), in **FAVOR** of Plaintiff Construction Laborers  
15 Trust Funds for Southern California Administrative Company, and **AGAINST**  
16 Defendant West Coast Structures and Defendant Brian Mathew Skajem, for:

17 Contributions withheld from employee benefit plans,

18 in violation of fiduciary duties: \$248,063.64

19 Interest on those contributions: \$ 97,360.36

20 **TOTAL \$345,424.00**

21 The Judgment on the Third Claim is joint and several, and not cumulative, with  
22 the Judgment on the First Claim.

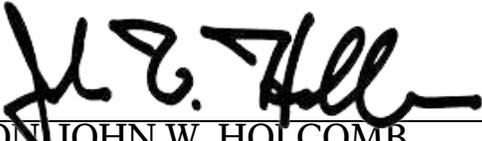
23 IV. In addition, as to all Defendants, jointly and severally: For attorneys' fees  
24 and costs, pursuant to Agreements and 29 U.S.C. §§ 1132(g)(2)(D) and 1132(g)(1), in  
25 the amount of \$316,304.80 fees and \$7,356.19 costs, totaling \$323,660.99.

26 **The total Judgment is therefore \$707,112.79 against West Coast Structures,**  
27 **Inc., dba Western Structures for the first claim; and \$669,084.99 against Brian**  
28

1 **Mathew Skajem and West Coast Structures, Inc., dba West Coast Structures,**  
2 **jointly and severally, for the third claim and the attorneys' fees.**

3 **IT IS SO ORDERED:**

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5 DATED: November 12, 2020

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HON. JOHN W. HOLCOMB  
United States District Court Judge