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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE SHEET METAL WORKERS' PENSION PLAN OF SOUTHERN CALIFORNIA, ARIZONA AND NEVADA; BOARD OF TRUSTEES OF THE SHEET METAL WORKERS' HEALTH PLAN OF SOUTHERN CALIFORNIA, ARIZONA AND NEVADA; BOARD OF TRUSTEES OF THE SOUTHERN CALIFORNIA SHEET METAL JOINT APPRENTICESHIP AND TRAINING COMMITTEE; BOARD OF TRUSTEES OF THE SHEET METAL WORKERS LOCAL 105 RETIREES' SUPPLEMENTAL HEALTH CARE TRUST FUND; BOARD OF TRUSTEES OF THE SOUTHERN CALIFORNIA SHEET METAL WORKERS' 401(A) PLAN; SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION OF SHEET METAL AIR, RAIL AND TRANSPORTATION WORKERS LOCAL UNION 105 DUES CHECK OFF AND DEFERRED SAVINGS FUND; BOARD OF TRUSTEES OF THE SOUTHERN CALIFORNIA SHEET METAL INDUSTRY

Case No. 5:19-cv-01170-CJC (SPx)

Hon. Cormac J. Carney

ORDER AND JUDGMENT ON **AMENDED** STIPULATION FOR JUDGMENT (DKT. 9)

1 LABOR MANAGEMENT COOPERATION  
2 TRUST; SHEET METAL AND AIR  
3 CONDITIONING CONTRACTORS  
4 NATIONAL ASSOCIATION OF  
5 SOUTHERN CALIFORNIA; AND LOCAL  
6 105 HEALTH REIMBURSEMENT PLAN,

7 Plaintiffs,

8 v.

9 WESTLAND HEATING AND AIR  
10 CONDITIONING, INC.; KIM HELTON;  
11 AND LISA ANN HELTON; individuals,

12 Defendants.

13  
14 Pursuant to the Stipulation by and between Plaintiffs Board of Trustees of  
15 the Sheet Metal Workers' Pension Plan of Southern California, Arizona and  
16 Nevada ("Pension Plan"); Board of Trustees of the Sheet Metal Workers' Health  
17 Plan of Southern California, Arizona and Nevada ("Health Plan"); Board of  
18 Trustees of the Southern California Sheet Metal Joint Apprenticeship and Training  
19 Committee ("JATC"); Board of Trustees of the Sheet Metal Workers Local 105  
20 Retirees' Supplemental Health Care Trust Fund ("Retirees Plan"); Board of  
21 Trustees of the Southern California Sheet Metal Workers' 401(a) Plan ("401(a)  
22 Plan"); Sheet Metal Workers' International Association of Sheet Metal Air, Rail  
23 and Transportation Workers Local Union No. 105 Union Dues Check-Off and  
24 Deferred Savings Fund ("Dues and Savings Fund"); Board of Trustees of the  
25 Southern California Sheet Metal Industry Labor Management Cooperation Trust  
26 ("LMCT"); Board of Trustees of the Sheet Metal and Air Conditioning Contractors  
27 National Association of Southern California ("Industry Fund"); and Local 105  
28

1 Health Reimbursement Plan (“HRA”) (collectively the “Plans” or “Trust Funds”),  
2 and Defendants, KIM HELTON, and LISA ANN HELTON (collectively  
3 “Individual Defendants”); and WESTLAND HEATING AND AIR  
4 CONDITIONING, INC. (“Company”), the Court has considered the matter fully  
5 and concluded that good cause exists to approve the parties’ Stipulation in its  
6 entirety.

7           Accordingly, **IT IS HEREBY ORDERED, ADJUDGED AND**  
8 **DECREED** as follows:

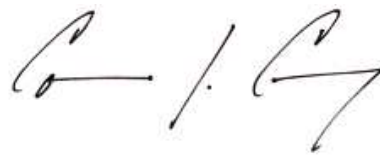
9           1.     That the Company and Individual Defendants agree that they are  
10 indebted to the Plans in the total amount of \$178,034.75 as follows: \$110,356.50 in  
11 liquidated damages for late payment or nonpayment of contributions for the work  
12 months of October 2015 through December 2015, January 2017, September 2017  
13 through December 2017, January 2018, April 2018 August 2018 through  
14 November 2018, and February 2019 through April 2019; \$55,178.25 in interest for  
15 late payment or nonpayment of contributions for the work months of October 2015  
16 through December 2015, January 2017, September 2017 through December 2017,  
17 January 2018, April 2018 August 2018 through November 2018, and February  
18 2019 through April 2019; and attorney's fees in the amount of \$12,500.00.

19           2.     Judgment is entered in favor of the Plans and against the Company  
20 and Individual Defendants, jointly and severally, in the amount of \$178,034.75 for  
21 accrued liquidated damages, interest, attorney fees and costs, together with post-  
22 judgment interest thereon at the rate of 12% per annum as of the date of the  
23 Judgment.

1           3.     This Court retains jurisdiction over this matter through January 1, 2022  
2 to enforce the terms of any judgment entered hereunder, to order appropriate  
3 injunctive and equitable relief, to make appropriate orders of contempt, and to  
4 increase the amount of judgment based upon additional sums owed to the Plans by  
5 Defendants.

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7           **IT IS SO ORDERED.**

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9           DATED: January 8, 2021



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11           \_\_\_\_\_  
12           HON. CORMAC J. CARNEY

13           UNITED STATES DISTRICT JUDGE  
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