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NOTE: CHANGES MADE BY
THE COURT

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 RETIREE HEALTH PLAN; BOARD OF TRUSTEES OF THE SOUTHERN CALIFORNIA SHEET METAL WORKERS' 401(A) PLAN; BOARD OF TRUSTEES OF THE SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION, LOCAL UNION NO. 105 UNION DUES CHECK-OFF FUND; AND BOARD OF TRUSTEES OF THE SHEET METAL INDUSTRY FUND OF LOS ANGELES,

Plaintiffs,

v.

PRECISION CLIMATE CONTROL, INC.; BABURAJ GANGA DHARAN; THRSIA JOHN THOTTIL; and FRANK EUGENE MORGAN, individuals,

Defendants.

Case No. SACV-12-0061-JST (JPRx)
JUDGMENT ON STIPULATION

1 Pursuant to the Stipulation by and between Plaintiffs Board of Trustees of the
2 Sheet Metal Workers' Pension Plan of Southern California, Arizona and Nevada
3 ("Pension Plan"); Board of Trustees of the Sheet Metal Workers' Health Plan of
4 Southern California, Arizona and Nevada ("Health Plan"); Board of Trustees of the
5 Southern California Sheet Metal Joint Apprenticeship and Training Committee
6 ("JATC"); Board of Trustees of the Sheet Metal Workers' Local 105 Retiree Health
7 Plan ("Retirees Plan"); Board of Trustees of the Southern California Sheet Metal
8 Workers' 401(a) Plan ("401(a) Plan"); Board of Trustees of the Sheet Metal Workers'
9 International Association, Local Union No. 105 Union Dues Check-off Fund ("Dues
10 Fund"); and Board of Trustees of the Sheet Metal Industry Fund of Los Angeles
11 ("Industry Fund") (collectively, the "Plans" or the "Trust Funds"), and the remaining
12 defendants, Frank Eugene Morgan ("Individual Defendant") and Precision Climate
13 Control, Inc. ("Company") (collectively "Defendants"), the Court has considered the
14 matter fully and concluded that good cause exists to approve the parties' Stipulation
15 in its entirety.

16 Accordingly, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as
17 follows:

18 1. The Company and the Individual Defendant, Frank Eugene Morgan, are
19 indebted to the Plans in the total amount of \$46,432.68 broken down as follows:
20 contributions (including the "Savings Deferral" which are wages deducted from
21 employee paychecks) in the amount of \$28,749.76 for the delinquent work months of
22 September 2011 (\$8,460.41), October 2011 (\$3,489.43), November 2011
23 (\$5,094.56) and December 2011 (\$11,705.36); contributions and liquidated
24 damages pursuant to an audit discrepancy in the amount of \$1,156.99 for the audit
25 period of July 2007 through July 2011; liquidated damages for late payment of
26 contributions in the amount of \$5,749.95; \$400.00 in late filing fees; interest in the
27 amount of \$2,874.98 and attorney's fees in the amount of \$7,500.

28 2. Judgment is entered in favor of the Plans and against the Company and

1 Individual Defendant, jointly and severally, in the amount of \$46,432.68 for
2 delinquent employee benefit plan contributions pursuant to an audit, liquidated
3 damages accrued pursuant to the audit discrepancy, late filing fees and accrued
4 liquidated damages, interest, attorney fees and costs, together with post-judgment
5 interest thereon at the rate of 12% per annum as of the date of the Judgment.

6 3. This Court retains jurisdiction over this matter through December 31,
7 2012 to enforce the terms of this judgment, to order appropriate injunctive and
8 equitable relief, to make appropriate orders of contempt, and to amend the judgment
9 based on the terms of the Stipulation.

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11 **IT IS SO ORDERED.**

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13 Dated: May 23, 2012

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Hon. Josephine Staton Tucker