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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN CALIFORNIA

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

Plaintiff,

v.

PRO RAILING METAL WORKS, INC.,
a California corporation; etc et al.,

Defendants.

CASE NO.: CV16-00244 DOC (KESx)

~~PROPOSED~~ ORDER TO SHOW
CAUSE RE CONTEMPT [28]

Upon review of the application of the Plaintiff (“TRUST FUNDS”) seeking an order requiring Defendant, PRO RAILING METAL WORKS, INC., a California corporation (“EMPLOYER”) and its Chief Financial Officer and Secretary, Dan Miller (“MILLER”), to show cause when they should not be adjudged in civil contempt for failing and refusing to obey this Court’s Interlocutory Order for Accounting entered on May 15, 2016 [docket no. 23,] which requires them to produce books and records to the TRUST FUNDS for an audit, and to cooperate in all respects therewith for the TRUST FUNDS to determine whether EMPLOYER has complied with the reporting and payment obligations of its labor agreements and/or to determine

1 the full amount of contributions due by the EMPLOYER to the TRUST FUNDS and
2 any damages to the TRUST FUNDS for failure to pay any such contributions:

3 IT IS HEREBY ORDERED that:

4 1. EMPLOYER and MILLER are ordered to appear before the above-
5 entitled Court on, September 26, 2016, at 8:30a.m., in Courtroom 9D of the
6 United States District Courthouse, located at 411 West Fourth Street, Santa Ana,
7 California and show cause, if any, why an order should not be entered adjudging them
8 guilty of failing and refusing to obey this Court's Interlocutory Order for Accounting.

9 2. Service of a copy of this order and of the application upon which this
10 order is based shall be made by mail to EMPLOYER and MILLER at least ten (10)
11 days prior to the hearing.

12 3. If EMPLOYER and MILLER choose to file papers in opposition to the
13 TRUST FUNDS' Order to Show Cause Re Contempt, they must do so no later than
14 five (5) days before the hearing.

15
16 DATED: September 6, 2016

David O. Carter

17 DAVID O. CARTER,
18 UNITED STATES DISTRICT JUDGE
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