

FILED

MAY 17 2013

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY _____
DEPUTY CLERK

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9 Attorneys for Defendant

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

12 * * *

13 BOARDS OF TRUSTEES OF IBEW LOCAL
UNION NO. 100 PENSION TRUST FUND;
14 IBEW LOCAL UNION NO. 100 HEALTH
AND WELFARE TRUST FUND; JOINT
15 ELECTRICAL INDUSTRY TRAINING
TRUST FUND; NATIONAL ELECTRICAL
16 BENEFIT FUND; and BOARD OF
TRUSTEES of IBEW DISTRICT NO. 9
17 PENSION PLAN TRUST FUND,

Case No. 1:09-CV-02170

STIPULATION AND ORDER FOR
JUDGMENT

18 Plaintiffs

19 vs.

20 WILLIAM CHARLES PORGES, individually
and doing business as ACCELERATED
21 ELECTRIC,

22 Defendant.

LAW OFFICES
Moss, Tucker, Chiu,
Hebeshah & Ward
A PROFESSIONAL CORPORATION
5260 North Palm Avenue
Suite 205
Fresno, CA 93704

STIPULATION AND ORDER FOR JUDGMENT

1 Plaintiffs Boards of Trustees of IBEW Local Union No. 100 Pension Trust Fund, IBEW
2 Local Union No. 100 Health and Welfare Trust Fund, Joint Electrical Industry Training Trust
3 Fund, National Electrical Benefit Fund, and IBEW District No. 9 Pension Plan Trust Fund
4 (collectively, "Plaintiffs") and defendant William Charles Porges, individually and dba
5 Accelerated Electric ("Defendant") hereby stipulate, and request an order, as to the following:

6 1. Plaintiffs and Defendant entered into a written "Settlement Agreement Between
7 IBEW Local Union No. 100 Trust Funds and William Charles Porges" ("Agreement"),
8 pertaining to delinquent contributions arising from Mr. Porges' work on certain construction
9 projects.

10 2. Among other things, said Agreement provides that Defendant shall remit sixty-
11 five thousand dollars (\$65,000.00) to Plaintiffs pursuant to a certain payment schedule described
12 within the Agreement.

13 3. Said Agreement permits Plaintiffs to file the present Stipulation and Order for
14 Judgment in the event Defendant breaches the terms of the Agreement.

15 4. Defendant has breached the Agreement, and the parties hereby request that the
16 Court issue an order for judgment against Defendant in the amount of \$40,000.00
17 ("Judgment Amount").¹

NYC
2013-04-12

18 5. Interest shall accrue on the Judgment Amount at the ten percent (10%) per annum
19 rate specified in the collective bargaining agreement. Plaintiffs shall be entitled to recover all
20 costs and attorneys' fees incurred by them in enforcing this Judgment.

21 6. Plaintiffs shall be entitled to apply to the Court ex parte for any writs or orders
22 necessary to enforce this Stipulation and Order for Judgment, or any other provision of the
23 Agreement.

24 [Signatures begin on the following page.]
25 _____

26 ¹ The judgment herein is subject to offsets from payments made by Defendant prior to the filing
27 of this document. Plaintiffs shall provide Defendant with a list of applicable offsets at least
28 twenty-four (24) hours prior to said filing. Defendant hereby authorizes Plaintiffs to insert -
after the parties' execution of this Stipulation and Order for Judgment - the amount still owed
at the time of filing in the above blank.

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Heberish & Ward
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PALM BEACH, CA 92061

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May 16th, 2011.

WILLIAM CHARLES FORGES, individually and dba
ACCELERATED ELECTRIC


By WILLIAM CHARLES FORGES

May 24, 2011.

IBEW LOCAL UNION NO. 100 TRUST FUNDS


By KEVIN COLE, Trustee

Approved as to Form and Content:

May 25, 2011.

MOSS, TUCKER, CHIU, HEBESHA & WARD
A Professional Corporation


HENRY W. CHIU
Attorney for Plaintiffs

May 23, 2011.

MARKS, GOLIA & FINCH, LLP
A Limited Liability Partnership

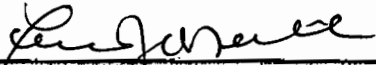
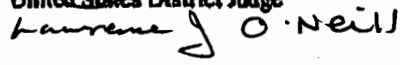

CHAD T. WISHCHUK,
Attorney for Defendant

ORDER

JUDGMENT IS HEREBY ENTERED AGAINST DEFENDANT FOR THE
JUDGMENT AMOUNT INSERTED IN THE BLANK ABOVE.

IT IS SO ORDERED.

Dated: 5-17-13


HONORABLE OLIVER W. WANGER
United States District Judge


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STIPULATION AND ORDER FOR JUDGMENT