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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, for the
use and benefit of REXEL, INC., a
Delaware corporation, doing business as
PLATT ELECTRIC SUPPLY,

Plaintiff,

v.

HUBZONE CORP., a California
corporation, also known as HUBZONE
CORPORATION, and AMERICAN
CONTRACTORS INDEMNITY
COMPANY,

Defendants.

No. 2:16-cv-408-JAM-EFB

ORDER

AMERICAN CONTRACTORS
INDEMNITY COMPANY, a California
corporation,

Cross-claimant,

v.

HUBZONE, CORP., a California
corporation doing business as HUBZONE
CORPORATION; CHARMIANE
BURNETT, an individual; and LARRY
DEON LOFTON, an individual,

Cross-defendants.

1 Plaintiff's motion for entry of default judgment was submitted on the papers by the
2 magistrate judge on August 6, 2018. The matter was referred to a United States Magistrate Judge
3 pursuant to Local Rule 302(c)(19) and 28 U.S.C. § 636(b)(1).

4 On March 13, 2019, the magistrate judge filed findings and recommendations herein
5 which contained notice to the parties that any objections to the findings and recommendations
6 were to be filed within fourteen days. No objections were filed.

7 The court has reviewed the file and finds the findings and recommendations to be
8 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
9 ORDERED that:

- 10 1. The Findings and Recommendations filed March 13, 2019, are adopted in full;
- 11 2. ACIC's application for default judgment on its breach of contract claim (ECF No. 24)
12 is granted;
- 13 3. ACIC is awarded damages in the amount of \$528,574.44, plus prejudgment interest at
14 the rate of 10% per annum commencing:
 - 15 a. April 11, 2016 for \$59,290.00;
 - 16 b. May 31, 2016, for \$93,943.51;
 - 17 c. August 10, 2016, for \$2,725.00;
 - 18 d. August 17, 2016, for \$75,264.00;
 - 19 e. November 14, 2016, for \$61,490.85;
 - 20 f. November 22, 2016, for \$24,580.00;
 - 21 g. March 16, 2017, for \$27,320.50; and
 - 22 h. December 20, 2017, for \$183,960.58.
- 23 4. ACIC's request for attorney's fees is denied without prejudice to a motion brought
24 under Local Rule 293; and
- 25 5. With the concurrent filing of the stipulation and order resolving all remaining claims in
26 this action, the Clerk is directed to enter judgment in ACIC's favor and against Hubzone,
27 Charmiane Burnett, and Larry Lofton on ACIC's breach of contract claim.

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DATED: March 28, 2019

/s/ John A. Mendez

UNITED STATES DISTRICT COURT JUDGE