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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NORTHWEST ADMINISTRATORS,
INC.,

Plaintiff,

v.

NATIONAL EXPRESS TRANSIT
SERVICES CORPORATION,

Defendant.

No. 2:19-cv-0744 WBS AC

ORDER

The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(19).

On August 23, 2019, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. ECF No. 24. Objections to the findings and recommendations have not been filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 23, 2019 are adopted in full;
2. Plaintiff's July 15, 2019 motion to compel compliance to an audit (ECF No. 14), heard in open court on August 14, 2019, and construed as a motion for partial default judgment, is GRANTED;
3. Within 15 days of the date of the District Court's order, defendant National Express Transit Service Corporation, through its officers, agents, employee, and attorneys, are ordered to make available to plaintiff's Trust Fund's authorized representatives the following documents:

- a. All tax documents listed on the contract and confirmation letter:
 - i. State Employer Security Reports
 - ii. State Industrial Insurance Reports
 - iii. Quarterly FICA and Federal Income Tax Reports (941/941A)
 - iv. Annual Federal Unemployment Reports (FUTA 940);
- b. Complete employee roster that includes the route-type for each driver;
- c. Payroll for all employees for 10/01/2013 to 6/30/2019; and
- d. Job descriptions for each iteration of the Driver and Mechanic position (Teamsters, ATUs, None's, Trainees and any others that do driving or mechanic work).

Dated: September 12, 2019


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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