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6 Attorneys for Plaintiffs

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 8 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 9 (SAN FRANCISCO)

10 GIL CROSTHWAITE and RUSS BURNS, in
 11 their respective capacities as Trustees of the
 OPERATING ENGINEERS HEALTH AND
 12 WELFARE TRUST FUND FOR NORTHERN
 CALIFORNIA; PENSION TRUST FUND
 13 FOR OPERATING ENGINEERS;
 PENSIONED OPERATING ENGINEERS
 14 HEALTH AND WELFARE FUND;
 OPERATING ENGINEERS ANNUITY
 15 TRUST FUND; OPERATING ENGINEERS
 AND PARTICIPATING EMPLOYERS PRE-
 16 APPRENTICESHIP, APPRENTICE AND
 JOURNEYMEN AFFIRMATIVE ACTION
 17 TRAINING FUND; OPERATING
 ENGINEERS VACATION AND HOLIDAY
 18 PLAN, CONTRACT ADMINISTRATION
 FUND; OPERATING ENGINEERS MARKET
 19 PRESERVATION FUND; OPERATING
 ENGINEERS INDUSTRY STABILIZATION
 20 TRUST FUND; BUSINESS DEVELOPMENT
 TRUST FUND; and HEAVY AND
 21 HIGHWAY COMMITTEE,

22 Plaintiffs,

23 vs.

24 TDW CONSTRUCTION INC., a California
 corporation; and EDMUNDO M. ALIRE,
 25 individually,

26 Defendants,

Case No.: C 06-06227 MEJ

JOINT STIPULATION REQUESTING
 ENTRY OF JUDGMENT
 AND ~~PROPOSED~~ ORDER

Judge: HON. MARIA-ELENA JAMES

1 1. Whereas the parties met and conferred in person on November 22, 2011 with
2 regards to the proper amounts due as ordered by the Court on November 14, 2011. See Court
3 Order at Docket No. 48, page 3, lines 7-8.

4 2. Whereas the Court further ordered that the parties to file a status report or
5 stipulation by December 5, 2011. See Court Order at Docket No. 48, page 3, lines 8-10.

6 3. Whereas the parties filed a Status Report on December 5, 2011 stating that they
7 anticipate they will reach agreement by December 12, 2011.

8 4. IT IS HEREBY JOINTLY STIPULATED by and between the parties hereto, that
9 Judgment may be entered in the within action in favor of the plaintiffs and against defendants
10 TDW CONSTRUCTION INC., a California corporation; EDMUNDO M. ALIRE, individually as
11 follows:

12	Amount owed as of date of settlement pursuant to stipulated settlement ¶ 5.	\$138,741.40
13	Additional attorney's fees (5/15/08-4/30/10) incurred pursuant to stipulated settlement ¶ 9.d,	1,543.00
14	Less payments made under terms of stipulated settlement.....	(76,543.02)
15		<hr/>
16	Amount still owing on stipulated settlement balance pursuant to stipulated settlement ¶ 9.a.	\$62,198.38
17	Unpaid contribution balance owing through December 12, 2011 pursuant to stipulated settlement ¶ 9.a.....	75,088.52
18	Additional interest at 12% per annum owing through December 12, 2011 pursuant to stipulated settlement ¶ 9.a.....	14,664.47
19	Liquidated damages at 15% on unpaid contribution balance owing through December 12, 2011 pursuant to stipulated settlement ¶ 9.a.....	71,307.90
20	Attorney's fees incurred and owing through December 12, 2011 pursuant to stipulated settlement ¶ 9.d	9,320.50
21	Costs pursuant to stipulated settlement through December 12, 2011 ¶ 9.d	\$138.06
22		
23		TOTAL: <hr/>
24		\$232,717.83

25 Executed this 12th day of December 2011.

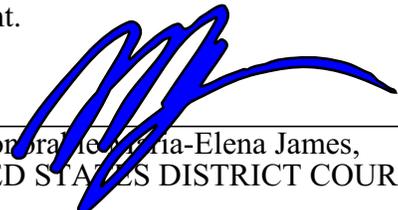
26	/S/	/S/
27	_____ Kristen McCulloch, Attorney for Plaintiffs	_____ William D. Thomson, Attorney for Defendants

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1 IT IS SO ORDERED.

2 Judgment is hereby entered against TDW CONSTRUCTION INC., a California
3 corporation; and EDMUNDO M. ALIRE, individually, in the amount of \$232,554.52 including
4 interest through December 12, 2011 and continuing thereafter at the interest rate of 12% per
5 annum through the date of satisfaction of Judgment.

6 Date: December 19, 2011, 2011

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8 _____
9 The Honorable Maria-Elena James,
10 UNITED STATES DISTRICT COURT JUDGE

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