

1 MICHAEL E. MOSS 63408  
 HENRY Y. CHIU 222927  
 2 KIMBLE, MacMICHAEL & UPTON  
 A Professional Corporation  
 3 5260 North Palm Avenue, Suite 221  
 Fresno, California 93704-2215  
 4 Telephone: (559) 435-5500  
 Facsimile: (559) 435-1500

5 Attorneys for Plaintiffs

6  
 7 **UNITED STATES DISTRICT COURT**  
 8 **NORTHERN DISTRICT OF CALIFORNIA**

9 \* \* \*

10 BOARD OF TRUSTEES OF THE PIPE  
 TRADES DISTRICT COUNCIL NO. 36  
 11 HEALTH AND WELFARE TRUST FUND;  
 BOARD OF TRUSTEES OF THE PIPE  
 12 TRADES DISTRICT COUNCIL NO. 36  
 PENSION TRUST FUND; BOARD OF  
 13 TRUSTEES OF THE PIPE TRADES  
 DISTRICT COUNCIL NO. 36 APPRENTICE  
 14 TRAINING TRUST FUND; BOARD OF  
 TRUSTEES OF THE CENTRAL  
 15 CALIFORNIA PIPE TRADES INDUSTRY  
 LABOR-MANAGEMENT COOPERATION  
 16 COMMITTEE TRUST FUND,

Case No. CV-08-3530 WHA

**STIPULATION FOR ENTRY OF JUDGMENT**

17 Plaintiffs,

18 v.

19 RUTLEDGE PLUMBING, INC., a California  
 corporation; and DOES 1 through 50,  
 inclusive,

20 Defendants.

21  
 22 IT IS HEREBY STIPULATED AND AGREED by and between the above named  
 23 Plaintiffs and defendant Rutledge Plumbing, Inc. ("Defendant") as follows:

24 1. This stipulation is entered into between the parties in order to settle and conclude  
 25 the above-entitled litigation relating to the payment of fringe benefit contributions owed by  
 26 Defendant to Plaintiffs for the months of April 2008 and May 2008, as well as for the month of  
 27 June 2008.

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1 2. Accordingly, IT IS HEREBY STIPULATED that, subject to the approval and  
2 order of the Court, judgment be entered in favor of Plaintiffs and against Defendant, effective  
3 upon the date this order is executed by the Court, in the sum set forth in Exhibit "A" (entitled  
4 "Judgment Pursuant to Stipulation"), which is attached hereto and incorporated herein by  
5 reference. Such sum comprises the full principal amount of delinquent contributions, liquidated  
6 damages, interest, and costs and attorneys' fees incurred by Plaintiffs to date.

7 3. IT IS STIPULATED, however, that judgment pursuant to this Stipulation shall be  
8 satisfied upon payment pursuant to the following terms:

9 a. Defendant shall remit a personal check, certified check or money order to  
10 Plaintiffs no later than September 5, 2008, in the amount of \$52,883.37, which shall comprise the  
11 following:

12	Principal contributions:	\$48,649.39
13	Interest (excluding liquidated damages):	\$1,063.86
14	Costs and Attorneys' Fees:	\$3,170.12

15 b. Pursuant to the terms of the Trust Agreements between Plaintiffs and  
16 Defendant, Defendant shall submit all future monthly reports in a timely manner, and pay all  
17 fringe benefit contributions to Plaintiffs on or before the date they are due.

18 4. Failure to make the payment described in Paragraph 3 above, or failure to submit  
19 future monthly reports, all in a timely manner, shall be considered an event of default under this  
20 Stipulation. Any default shall entitle Plaintiffs to execute the judgment attached hereto as Exhibit  
21 "A" for the full amount of \$63,431.80. Furthermore, upon default, Plaintiffs shall be entitled to  
22 apply to the court ex parte, and without notice to Defendant, for any writs or orders necessary to  
23 judicially enforce the full amount of the judgment stated in Exhibit "A."

24 5. Any execution of judgment entered pursuant to this Stipulation is subject to offsets  
25 from payments made prior to said execution of the judgment. Upon the successful completion of the  
26 payments and conditions stated in Paragraph 3 of this Stipulation, Plaintiffs shall submit an  
27 appropriate satisfaction of judgment to the Court.

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Dated: August 29, 2008.

PIPE TRADES DISTRICT COUNCIL NO. 36  
TRUST FUNDS

By /s/ Robert Jennings  
ROBERT JENNINGS, Trustee of the  
PIPE TRADES DISTRICT COUNCIL NO. 36,  
On behalf of the same

Dated: August 31, 2008.

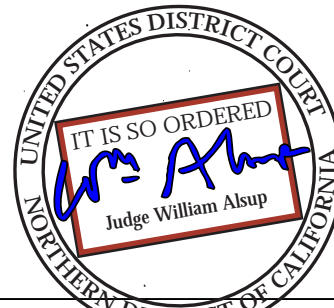
RUTLEDGE PLUMBING, INC.

By /s/ Karen M. Rutledge  
KAREN M. RUTLEDGE, President of  
RUTLEDGE PLUMBING, INC.,  
On behalf of the same

**ORDER**

IT IS SO ORDERED.

Dated: September 30, 2008.



UNITED STATES DISTRICT JUDGE

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Dated: August 29, 2008.

PIPE TRADES DISTRICT COUNCIL NO. 36  
TRUST FUNDS

By Robert Jennings  
ROBERT JENNINGS, Trustee of the  
PIPE TRADES DISTRICT COUNCIL NO. 36,  
On behalf of the same

Dated: August \_\_\_\_\_, 2008.

RUTLEDGE PLUMBING, INC.

By \_\_\_\_\_  
KAREN M. RUTLEDGE, President of  
RUTLEDGE PLUMBING, INC.,  
On behalf of the same

ORDER

IT IS SO ORDERED.

Dated: September \_\_\_\_\_, 2008.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

615121.hc.stip entry judgment.2

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Dated: August \_\_\_\_\_, 2008.

PIPE TRADES DISTRICT COUNCIL NO. 36  
TRUST FUNDS

By \_\_\_\_\_  
ROBERT JENNINGS, Trustee of the  
PIPE TRADES DISTRICT COUNCIL NO. 36,  
On behalf of the same

Dated: August 31, 2008.

RUTLEDGE PLUMBING, INC.

By  \_\_\_\_\_  
KAREN M. RUTLEDGE, President of  
RUTLEDGE PLUMBING, INC.,  
On behalf of the same

ORDER

IT IS SO ORDERED.

Dated: September \_\_\_\_\_, 2008.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

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7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA

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16 COMMITTEE TRUST FUND,

17 Plaintiffs,

18 v.

19 RUTLEDGE PLUMBING, INC., a California  
corporation; and DOES 1 through 50,  
inclusive,

20 Defendants.  
21

Case No. CV-08-3530 WHA

JUDGMENT PURSUANT TO  
STIPULATION

[Exhibit A to Stipulation for Entry of  
Judgment]

22 On the basis of the stipulation entered into between Plaintiffs and defendant Rutledge  
23 Plumbing, Inc. ("Defendant"), and good cause appearing therefore:

24 IT IS HEREBY ORDERED that judgment be entered in the above-entitled matter in  
25 favor of Plaintiffs and against Defendant in the total sum of \$63,431.80. This amount comprises  
26 the following, all for the period of April 2008 through June 2008 only:

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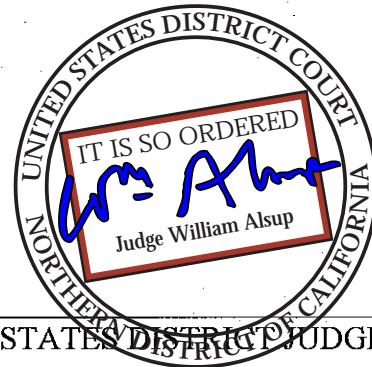
- 1 1. Principal unpaid contributions, in the amount of \$48,649.39;
- 2 2. Interest upon the principal unpaid contributions, in the amount of \$1,063.86;
- 3 3. Liquidated damages, in the amount of \$9,344.53;
- 4 4. Interest upon the liquidated damages, in the amount of \$203.90;
- 5 5. Costs and attorneys' fees, in the amount of \$4,170.12;

6 IT IS FURTHER ORDERED that interest shall accrue on the total judgment, from the  
7 date of entry, at the rate of ten percent (10%) per annum.

8 IT IS FURTHER ORDERED that Plaintiffs shall be entitled to recover reasonable costs  
9 and attorneys' fees incurred by them in enforcing this judgment.

10 IT IS FURTHER ORDERED that the Court shall retain jurisdiction to enforce the terms  
11 of this judgment.

12 Dated: September 30, 2008.



UNITED STATES DISTRICT JUDGE