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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

U.A. LOCAL NO. 343, et al.

No. C 09-02733 CRB

Plaintiff,

**ORDER RE: LIQUIDATED  
DAMAGES CALCULATION**

v.

ADAM CALVERT,

Defendant.

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The Court is in receipt of Plaintiff's Motion for Default Judgment, as well as the papers filed in support thereof. Having carefully reviewed these papers, the Court requires a supplemental filing from Plaintiff. In no more than five (5) pages, Plaintiff shall explain to the Court whether liquidated damages of 10% (the amount currently sought) or 20% (the amount to be awarded under the contract if contributions remain unpaid on the day the legal action was filed) are appropriate. If Plaintiff concludes that liquidated damages of 20% are appropriate, Plaintiff shall clearly state the revised total sought in contributions, liquidated damages, interest and attorneys' fees. Plaintiff shall file this supplemental brief by September 10, 2009 at 4:00 p.m.

**IT IS SO ORDERED.**

Dated: September 4, 2009



CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE