

United States District Court
For the Northern District of California

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

THE BOARD OF TRUSTEES, et al.,
Plaintiffs,
v.
EL CAMINO PAVING, INC.,
Defendant.

No. C-10-0708 MMC

**ORDER ADOPTING REPORT AND
RECOMMENDATION; GRANTING
PLAINTIFFS' MOTION FOR DEFAULT
JUDGMENT**

Before the Court is Magistrate Judge Elizabeth D. Laporte's "Report and Recommendation Re: Plaintiffs' Motion for Default Judgment," filed August 1, 2012, by which she recommends the Court enter judgment in favor of plaintiffs, awarding plaintiffs the total amount of \$174,069.03 and ordering defendant to submit to an audit under the terms of the parties' collective bargaining agreement. No objections to the Report and Recommendation have been filed.¹

Having read and considered the Report and Recommendation, the Court hereby ADOPTS the Report and Recommendation in its entirety, and GRANTS plaintiffs' motion for default judgment as follows:

- 1. Plaintiffs shall have judgment against defendant in the total amount of

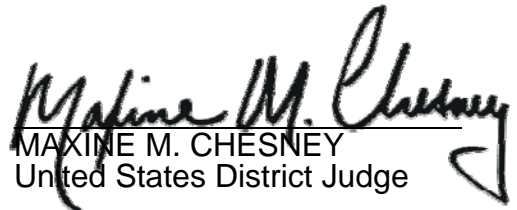
¹Defendant was served with the motion for default judgment and with the Report and Recommendation.

1 \$174,069.03, comprising \$83,207.56 in unpaid and delinquent contributions, \$59,367.17 in
2 liquidated damages and interest, and \$31,494.30 in attorney's fees and costs.

3 2. Defendant is ordered to submit to an audit by auditors selected by plaintiffs and
4 conducted at defendant's premises during business hours or, if the records are kept
5 elsewhere, at such other location at a reasonable time or times, and to allow said auditors
6 to examine and copy such books, records, papers, and reports relating to the time period
7 beginning January 1, 2009 to the present that are relevant to the enforcement of the
8 collective bargaining agreement or Trust Agreements.

9 **IT IS SO ORDERED.**

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11 Dated: August 24, 2012


MAXINE M. CHESNEY
United States District Judge