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28IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CROSTHWAITE ET AL.,

No. C 10-03589 CRB

Plaintiffs,

**ORDER REQUIRING  
SUPPLEMENTAL FILING**

v.

JAMES VENTURE CORPORATION ET  
AL.,

Defendants.

Plaintiffs have moved for default judgment. See *dk.* 35. Their request for relief includes \$940.10 in liquidated damages for late contributions to employee benefit plans, \$11,597.00 in attorneys' fees, \$780.00 in attorneys' fees in connection with their Motion for Default Judgment, and \$1,170 in costs. Plaintiffs have not submitted evidence to support their requests for these items. "[U]pon default the factual allegations of the complaint, except those relating to the amount of damages, will be taken as true. TeleVideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987).

Accordingly, Plaintiffs are ordered to submit to the Court by Friday, October 28, 2011 evidence supporting their requests for the above-listed items. See Fed. R. Civ. P. 55(b)(2) ("If, in order to enable the court to enter [default] judgment . . . it is necessary to take an account or to determine the amount of damages or to establish the truth of any averment by

1 evidence or to make an investigation of any other matter, the court may . . . order such  
2 references as it deems necessary and proper.”).

3 **IT IS SO ORDERED.**

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5 Dated: October 25, 2011



CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE

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