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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

U.A. LOCAL NO. 467 PENSION TRUST
FUND, *et al.*,

No. C-12-3746 EMC

Plaintiffs,

**SECOND ORDER RE SUPPLEMENTAL
BRIEFING AND EVIDENCE**

v.

HYDRA VENTURES INCORPORATED,

Defendant.

Plaintiffs U.A. Local No. 467 Pension Trust Fund, U.A. Local No. 467 Health and Welfare Trust Fund, Pipe Trades Apprentice and Journeyman Training Trust Fund for San Mateo County, and Mike Swanson, trustee and fiduciary of the above trust funds, have filed an action to collect unpaid contributions owed to certain multi-employer benefit plans from Defendant Hydra Ventures, Inc., *dba* Cal Pacific Plumbing Systems (“Cal Pacific”), under the civil enforcement provisions of the Employee Retirement Income Security Act of 1974 (“ERISA”), 29 U.S.C. §§ 1001, *et. seq.* Having received an entry of default against Cal Pacific for its failure to appear or otherwise respond to the summons and complaint served upon it in this matter, Plaintiffs now move for default judgment pursuant to Fed. R. Civ. P. 55(b)(2). *See* Motion for Default Judgment (Docket No. 14). A hearing on Plaintiffs’ motion is scheduled for February 14, 2013, at 1:30 p.m. It is hereby ordered that Plaintiffs shall bring the following materials to the hearing:

- (1) A copy of the trust agreement for the Pipe Trades Apprentice and Journeyman Training Trust Fund for San Mateo County. Plaintiffs shall denominate the provision

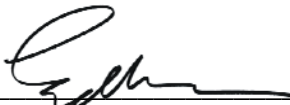
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in the trust agreement setting liquidated damages on delinquent contributions at 10% of the amount not timely paid.

- (2) Documentation reflecting the receipt of Defendant's late payment of \$3,425 toward the balance owed for December 2010 fringe benefit contributions.
- (3) A supplemental declaration from a declarant with appropriate firsthand knowledge stating that all damages sought in Plaintiffs' Motion for Default Judgment relate solely to Defendant's non-payment of contributions owed to the three Trust Funds that are parties to this action.

IT IS SO ORDERED.

Dated: February 12, 2013



EDWARD M. CHEN
United States District Judge