

1 Muriel B. Kaplan, Esq. (SBN124607)
2 Michele R. Stafford, Esq. (SBN 172509)
3 SALTZMAN & JOHNSON LAW CORPORATION
4 44 Montgomery Street, Suite 2110
5 San Francisco, CA 94104
6 (415) 882-7900
7 (415) 882-9287 – Facsimile
8 mkaplan@sjlawcorp.com
9 mstafford@sjlawcorp.com

10 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT

12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 F. G. CROSTHWAITE, et al., as Trustees of
14 the OPERATING ENGINEERS' HEALTH
15 AND WELFARE TRUST FUND FOR
16 NORTHERN CALIFORNIA, et al.

17 Plaintiffs,

18 v.

19 DJK CONSTRUCTION, INC., a California
20 corporation,

21 Defendant.

Case No.: C12-5088 WHO

**JUDGMENT PURSUANT TO
STIPULATION**

22 IT IS HEREBY STIPULATED by and between the parties hereto, that Judgment may be
23 entered in the within action in favor of the Plaintiffs F.G. CROSTHWAITE, et al. (collectively
24 "Plaintiffs" or "Trust Funds") and against Defendant DJK CONSTRUCTION, INC., a California
25 corporation ("Defendant"), as follows:

26 1. Defendant entered into a valid Collective Bargaining Agreement with
27 the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers,
28 AFL-CIO (hereinafter "Bargaining Agreement"). This Bargaining Agreement has continued in full
force and effect to the present time.

2. Defendant has become indebted to the Plaintiffs as follows:

2/12-4/12 Contributions	\$8,933.82	
10% Interest on 5/11, 12/11-4/12	\$961.44	
<i>Subtotal:</i>		\$9,895.26
Attorneys' Fees (through 8/11/13)		\$5,107.00
Costs of Suit (through 8/11/13)		\$661.00
TOTAL		\$15,663.26

1 ///
2 ///

3 9. All parties represent and warrant that they have consulted with counsel of their own
4 choosing in connection with entering this Stipulation under the terms and conditions set forth
5 herein, and that they enter into this Stipulation voluntarily.

6 Dated: October 29, 2013

DJK CONSTRUCTION, INC., a California corporation

8 By: _____ /S/
9 Dalton Eugene DeOrnellas,
its RMO/CEO/President

12 Dated: October 30, 2013

**SALTZMAN & JOHNSON
LAW CORPORATION**

14 By: _____ /S/
15 Muriel B. Kaplan, Esq.
Attorneys for Plaintiffs

17 **APPROVED AS TO FORM.**

Dated: October 29, 2013

18 By: _____ /S/
19 Rodney Mariani, Esq. (SBN 69918)
20 Attorney for DJK Construction, Inc.

21 **IT IS SO ORDERED. IT IS FURTHER ORDERED** that the calendar in this matter is vacated, and
22 that the Court shall retain jurisdiction over this matter.

23 Dated: November 1, 2013


UNITED STATES DISTRICT JUDGE

24
25
26
27
28