

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, et al.
Plaintiffs,
v.
DEBRUIN CONSTRUCTION, INC.,
Defendant.

Case No. 12-cv-05477-TEH

**ORDER GRANTING PLAINTIFFS’
MOTION FOR DEFAULT
JUDGMENT**

This case was reassigned to this Court following the filing of a report and recommendation by Magistrate Judge Joseph Spero on January 14, 2015. Plaintiffs served the report and recommendation on Defendant by mail on January 20, 2015. No objections to the report and recommendation have been received, and the period for filing such objections has now expired. See Fed. R. Civ. P. 72(b)(2) (allowing fourteen-day period after service for filing objections); Fed. R. Civ. P. 6(d) (allowing three additional days following service by mail).

The Court has reviewed the report and recommendation and the record in this case, and it accepts Judge Spero’s recommendations in their entirety. Accordingly, with good cause appearing, IT IS HEREBY ORDERED that Plaintiffs’ motion for default judgment is GRANTED. Defendant Debruin Construction, Inc. shall pay Plaintiffs \$89,869.78 as follows:

1. Unpaid contributions in the amount of \$44,762.46;
2. Liquidated damages in the amount of \$3,000.00;
3. Interest in the amount of \$25,579.72;
4. Attorneys’ fees in the amount of \$14,461.25; and
5. Costs in the amount of \$2,066.35.

In addition, Defendant shall submit to an audit by auditors selected by Plaintiffs, at Defendant’s premises during business hours or where the records are kept, at a reasonable

1 time or times, and shall allow said auditors to examine and copy such books, records,
2 papers, or reports as may be necessary to determine whether Defendant is making full and
3 prompt payment of all sums required to be paid by it to the Plaintiffs.

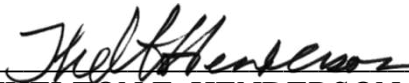
4 The Clerk shall enter judgment and close the file. However, the Court will retain
5 jurisdiction over this matter so that Plaintiffs may, if appropriate, file a motion to amend
6 the judgment following the audit.

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8 **IT IS SO ORDERED.**

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10 Dated: 02/18/15



THELTON E. HENDERSON
United States District Judge

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