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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE BAY
AREA ROOFERS HEALTH & WELFARE
TRUST FUND, et al.,

Plaintiffs,

v.

WESTECH ROOFING,

Defendant.

Case No. 12-cv-05655-JCS

**ORDER RE BRIEFING ON AMENDED
MOTION FOR DEFAULT JUDGMENT**

Plaintiffs have filed an Amended Motion for Default Judgment (“Motion”), which is currently set for hearing on March 21, 2014 at 9:30 a.m. Defendant has filed a response stating that it would like the Court to conduct a prove-up hearing and that Defendant will be prepared to respond to the Court’s questions at the hearing. Defendant also states that it does not understand Plaintiffs’ accounting but offers no details in support of that statement. Finally, Defendant asks the Court to require that the parties meet and confer about the amounts due.

In light of the history of this case, and Westech’s history of non-compliance with its ERISA obligations generally (see Docket No. 40), the Court will not require that the parties meet and confer about the amounts due. Further, while Westech is entitled to challenge the amounts requested by Plaintiffs on the Motion, it is required to set forth those challenges in its Opposition brief with sufficient detail to allow Plaintiffs to offer a meaningful response. The Court will not consider arguments at the March 21, 2014 hearing that have not been raised in the parties’ briefs. As Westech has offered no meaningful response to Plaintiffs’ Motion, the Court will permit it to file an additional opposition brief specifically identifying any challenges it wishes to assert to the amounts requested in the Motion. That brief shall be filed no later than **Friday, February 28, 2014**. Plaintiffs may file a response to Defendant’s brief, if any, no later than Friday, **March 7,**

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2014. No further briefing will be accepted without the Court’s leave based on good cause. Nor will the Court grant any further requests to postpone the hearing on Plaintiffs’ Motion.

IT IS SO ORDERED.

Dated: February 25, 2014



JOSEPH C. SPERO
United States Magistrate Judge