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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
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12 BOARD OF TRUSTEES OF THE SHEET METAL)	NO: <u>C 09 5317 CW</u>
13 WORKERS, et al.,)	
14 Plaintiffs,)	<u>JUDGMENT PURSUANT TO</u>
15 vs.)	<u>STIPULATION</u>
16 CENTRAL COAST AIR INC., a)	
16 corporation doing business as)	
17 SALINAS HEATING & SHEET METAL)	
18 Defendant.)	

19 It appearing that Plaintiffs BOARD OF TRUSTEES OF THE SHEET METAL
 20 WORKERS HEALTH CARE PLAN OF NORTHERN CALIFORNIA, SHEET METAL WORKERS PENSION
 21 TRUST OF NORTHERN CALIFORNIA, SHEET METAL WORKERS LOCAL 104 VACATION,
 22 HOLIDAY SAVINGS PLAN; BRUCE WORD, TRUSTEE, and defendant, CENTRAL COAST AIR
 23 INC., a corporation doing business as SALINAS HEATING & SHEET METAL have
 24 entered into a stipulation which provided for judgment against Defendant in
 25 the amount of \$18,092.04,

26 IT IS HEREBY ORDERED AND ADJUDGED that plaintiffs BOARD OF
 27 TRUSTEES OF THE SHEET METAL WORKERS HEALTH CARE PLAN OF NORTHERN CALIFORNIA,
 28 SHEET METAL WORKERS PENSION TRUST OF NORTHERN CALIFORNIA, SHEET METAL

1 WORKERS LOCAL 104 VACATION, HOLIDAY SAVINGS PLAN; BRUCE WORD, TRUSTEE have
2 and recovered judgment against defendant, CENTRAL COAST AIR INC., a
3 corporation doing business as SALINAS HEATING & SHEET METAL, in the amount
4 of \$18,092.04, which is composed of the following:

5 a. Contribution balances due and unpaid to Plaintiff Trust
6 Funds for the period July 2009 through November 2009 in the amount of
7 \$15,076.70;

8 b. Liquidated damages due and unpaid to the Plaintiff
9 Trust Funds for the same period in the amount of \$3,015.34;

10 IT IS FURTHER ORDERED AND ADJUDGED that an abstract of
11 judgment will not be recorded, execution will not issue, and judgment
12 will not be entered so long as defendant fully complies with the
13 following conditions:

14 1. Defendant shall make payments of all ongoing amounts
15 to become due to the SHEET METAL WORKERS OF NORTHERN CALIFORNIA TRUST
16 FUNDS pursuant to contract between defendant and Local Union 104 of
17 the Sheet Metal Workers' International Association for hours worked
18 by defendant's employees, commencing with payment for June 2010, hours
19 due on or before July 20, 2010 and continuing until the full amount
20 of this judgment is paid. Each of said payments will be made by check
21 payable to SHEET METAL WORKERS TRUST FUNDS and sent to the post office
22 box on the report form.

23 2. Defendant shall pay the total amount of this judgment
24 \$18,092.04 in monthly installment payments of \$500.00. The first
25 installment is due August 15, 2010 and each subsequent installment
26 shall be paid on the 15th of the month, until the entire sum due is
27 paid. Said installment payments will be made by check payable to the
28 SHEET METAL WORKERS TRUST FUNDS and sent to the collection attorney,

1 ERSKINE & TULLEY, 220 Montgomery Street, Suite 303, San Francisco,
2 California 94104, Attention: Michael Carroll.

3 3. Plaintiffs and Defendant each understand and agree that
4 any modification of payments must be made in writing and agreed to by
5 both the Plaintiffs and the Defendant.

6 IT IS FURTHER ORDERED AND ADJUDGED that upon failure of the
7 Defendant to make any of the monthly contribution payments pursuant
8 to the collective bargaining agreement as set forth in paragraph 1
9 above, and the monthly installment payments in a timely manner as
10 required pursuant to the terms of paragraph 2 of this stipulation,
11 entry of Judgment, and execution on the entire judgment in the amount
12 of \$18,092.04 reduced by any offsets for payments made, shall issue
13 only after ten (10) days written notice to the Defendant that
14 Plaintiffs or Plaintiffs' attorney declares a default and intends to
15 file a Declaration stating that a default has occurred on the part of
16 the defendant. Defendant waives notice of any hearing held by the
17 court upon the earlier execution of this judgment or Plaintiffs'
18 declaration.

19 IN WITNESS WHEREOF, plaintiffs' attorney and defendant have
20 executed this Stipulation for Judgment.

21 Dated: August 2, 2010


22 Honorable Judge Claudia Wilken

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