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3 UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5 OAKLAND DIVISION

6 PENSION TRUST FUND FOR
7 OPERATING ENGINEERS; F.G.
8 CROSTHWAITE and RUSSELL E. BURNS,
as Trustees,

9 Plaintiffs,

10 vs.

11 HILLSDALE ROCK CO., INC., a California
12 Corporation; HILLSDALE ROCK CO., a sole
13 proprietorship; HANK MATOZA TRUST,
HENRY J. MATOZA, JR., as an individual,
and DOES 1-10,

14 Defendants.

Case No: C 10-5509 SBA

ORDER AND JUDGMENT

Dkt. 30, 44


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16 On June 28, 2011, the Court referred the motion for default judgment, Dkt. 30, of
17 Plaintiffs Pension Trust Fund for Operating Engineers, and F.G. Crosthwaite and Russell E.
18 Burns, as Trustees, ("Plaintiffs") to the Magistrate Judge for a report and recommendation,
19 Dkt. 37. On August 22, 2011, the Magistrate Judge issued her report and recommendation.
20 Dkt. 44. The time for objections to the report and recommendation has passed and no
21 objections have been filed. Although no objections have been filed, this Court reviews the
22 Magistrate Judge's legal conclusions de novo. See Lorin Corp. v. Goto & Co., Ltd., 700 F.2d
23 1202, 1206 (9th Cir. 1983). Upon such review, the Court finds no error in the Magistrate
24 Judge's report and recommendation. Accordingly,

25 IT IS HEREBY ORDERED THAT the Magistrate Judge's report and recommendation
26 (Docket 44) is ACCEPTED and shall become the Order of this Court. Judgment shall be
27 entered in favor of Plaintiffs Pension Trust Fund for Operating Engineers, and F.G.
28 Crosthwaite and Russell E. Burns, as Trustees, and against Defendant Hillsdale Rock

1 Company, Inc. in the amount of \$990,103 in assessed withdrawal liability; \$117,726.84 in
2 interest from June 1, 2010 to the date of the August 9, 2011 hearing on Plaintiffs' motion for
3 default judgment; \$271.26 in daily interest from August 9, 2011 to the date of the entry of
4 Judgment; \$198,020.60 in liquidated damages; \$6,657.50 in attorney's fees; and \$1,042.25 in
5 costs. Post-judgment interest at the legal rate on the entire Judgment to the date of satisfaction
6 is ordered pursuant to 28 U.S.C. § 1961. This Order terminates Docket 30, 35, 44.

7 IT IS SO ORDERED.

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9 Dated: September 12, 2011


SAUNDRA BROWN ARMSTRONG
United States District Judge

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