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5 Attorneys for Plaintiff  
 6 Trustees on Behalf of the Northern California  
 Soft Drink Industry and Teamsters Welfare Fund  
 7

8 **UNITED STATES DISTRICT COURT**  
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11 TRUSTEES ON BEHALF OF THE  
 12 NORTHERN CALIFORNIA SOFT DRINK  
 INDUSTRY AND TEAMSTERS WELFARE  
 FUND,

Case No. CV-11-2038-LB

**STIPULATION FOR ENTRY OF  
 JUDGMENT AND ORDER**

Plaintiff,

v.

MARJYN INVESTMENTS, LLC,

Defendant.

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 19 Plaintiff TRUSTEES ON BEHALF OF THE NORTHERN CALIFORNIA SOFT DRINK  
 20 INDUSTRY AND TEAMSTERS WELFARE FUND (Plaintiff) and Defendant MARJYN  
 21 INVESTMENTS, LLC (Defendant) stipulate and agree, by and between their attorneys, that the  
 22 Court may render judgment in favor of Plaintiff and against Defendant in the amount of \$44,526.00  
 23 as follows:

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- 1           1.       Unpaid delinquent contributions of \$35,758.00 owed for the August and September
- 2 2010 work months;
- 3           2.       Unpaid liquidated damages in the amount of \$5,815.00 for the August and September
- 4 2010 work months;
- 5           3.       Prejudgment interest in the amount of \$751.00; and
- 6           4.       Attorneys' fees and costs of \$2,202.00.

7           IT IS FURTHER STIPULATED and agreed by the parties that although the full judgment  
8 amount is due and payable to Plaintiff as of the date of entry of judgment with the Court, the Plaintiff  
9 will accept payment in six (6) installments and will not execute on the judgment so long as Defendant  
10 fully complies with the following conditions:

- 11           1.       Defendant shall pay this Judgment in full by making six (6) monthly installment
- 12 payments, each in the amount of \$7,230.35.

	<u>Due Date</u>	<u>Amount Due</u>
13		
14	a.     June 15, 2011	\$7,230.35
15	b.     July 15, 2011	\$7,230.35
16	c.     August 15, 2011	\$7,230.35
17	d.     September 15, 2011	\$7,230.35
18	e.     October 15, 2011	\$7,230.35
19	f.     November 15, 2011	\$7,230.35

- 20           2.       Each of said payments shall be made by check payable to Northern California
- 21 Soft Drink Industry and Teamsters Welfare Fund, and shall be sent to Beeson, Tayer & Bodine, 520
- 22 Capitol Mall, Suite 300, Sacramento, California 95814, Attention: Catherine Arostegui.

- 23           3.       All payments shall be timely if they are received by Beeson, Tayer & Bodine no later
- 24 than the due dates set forth above. Any payments received after the due dates shall incur a ten
- 25 percent (10%) late fee on that installment payment.

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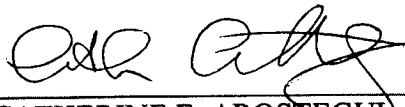
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1 IT IS FURTHER STIPULATED and agreed by the parties that if, for any reason, any  
2 payment under the terms of this Stipulation is not made within ten (10) days of its due date, the  
3 Plaintiff shall, at its option, execute on the entire amount of the Judgment, less any payments already  
4 made by the Defendant to the Plaintiff.

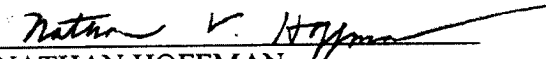
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6 Dated: May 30, 2011

Respectfully Submitted,  
BEESON, TAYER & BODINE, APC

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8 By:   
9 CATHERINE E. AROSTEGUI  
10 Attorneys for TRUSTEES ON BEHALF OF THE  
11 NORTHERN CALIFORNIA SOFT DRINK  
INDUSTRY AND TEAMSTERS WELFARE  
FUND

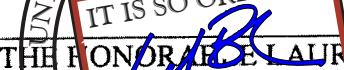
12 Dated: May 30, 2011

LAW OFFICES OF HOFFMAN & OSORIO, LLP

13  
14 By:   
15 NATHAN HOFFMAN  
16 Attorneys for MARJYN INVESTMENTS, LLC

17 **IT IS SO ORDERED.**

18 Dated: September 12, 2011

19 By:   
20 THE HONORABLE LAUREL BEELER  
21 UNITED STATES MAGISTRATE JUDGE  
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