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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AUTOMOTIVE INDUSTRIES PENSION  
TRUST FUND, et al.,

Plaintiffs,

v.

LEW WILLIAMS, INC., d/b/a GREAT  
VALLEY CHRYSLER PLYMOUTH,

Defendant.

No. C 11-2185 PJH

**ORDER ADOPTING REPORT AND  
RECOMMENDATION; ORDER GRANTING  
MOTION FOR DEFAULT JUDGMENT**

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The court has reviewed Magistrate Judge Laporte's report and recommendation re plaintiff's motion for default judgment. Defendant Lew Williams, Inc., d/b/a Great Valley Chrysler Plymouth filed no objection to the report within the time allowed under 28 U.S.C. § 636(b)(1). The court finds the report correct, well-reasoned and thorough, and adopts it in every respect. Accordingly, plaintiffs' motion for default judgment is GRANTED.

The court will enter judgment in the amount of \$889,050.58, as follows:  
\$651,046.00 in assessed withdrawal liability; \$101,029.88 in interest from September 30, 2008 to August 16, 2011; \$124.86 in daily interest from August 17, 2011 through the date of judgment; \$130,209.20 in liquidated damages; \$12,225.50 in attorney's fees; and \$4,540.00 in costs. The court also awards post-judgment interest at the legal rate on the entire judgment from the date of the judgment to the date of satisfaction pursuant to 28 U.S.C. § 1961.

1 The court further orders defendant to produce the following documents to plaintiffs in  
2 compliance with ERISA § 4219(a), 29 U.S.C. § 1399(a):

3 1. A complete copy of the Stock Certificates for Great Valley Chrysler Plymouth  
4 ("Great Valley"), identifying each owner of Great Valley and the number of shares owned by  
5 each, including any changes of ownership for the period January 1, 2005 to the present.

6 2. Identification by entity name and all fictitious business names of all trades or  
7 businesses and all real property, including the real property located at 2329 Fulton Avenue,  
8 Sacramento, California, in which each person or entity identified by the preceding request  
9 number 1 had an interest.

10 3. Identification of all spouses and children under the age of 21 of each person  
11 identified in the preceding request number 1.

12 4. Identification by name of each trust of which defendant's principal, Richard W.  
13 Keil, and/or his spouse is a trustor, trustee or beneficiary.

14 5. Identification by entity name and all fictitious business names of all trades or  
15 businesses and all real property, including the real property located at 2329 Fulton Avenue,  
16 Sacramento, California, in which each spouse and child under the age of 21 identified by  
17 the preceding request number 3 had an interest on or after January 1, 2005.

18 6. Copies of all contracts or agreements between Great Valley and its principal  
19 Richard W. Keil in effect during the period of January 1, 2005 to the present, including all  
20 addendums and amendments thereto.

21 7. Copies of all contracts or agreements between Great Valley and the spouse of  
22 Richard W. Keil in effect during the period of January 1, 2005 to the present, including all  
23 addendums and amendments thereto.

24 8. Great Valley's annual financial statements, both audited and unaudited, prepared  
25 on or after January 1, 2005.

26 9. Great Valley's accounting records for years ending on or after January 31, 2005,  
27 including the general ledger, trial balance, accounts payable journal, cash disbursements  
28 journal, balance sheets, income statements and cash flow statements.

1           10. Great Valley's federal and state income tax returns, including all supporting  
2 schedules, statements, forms and attachments filed therewith (e.g. Form 8594, Asset  
3 Acquisition Statement) for the years 2005 to the present.

4           11. Identification of all persons or entities that provided accountancy, tax and legal  
5 services, to Great Valley for the years 2005 to the present.

6           12. Identification of all persons or entities that provided accountancy, tax and legal  
7 services, to Richard W. Keil and/or his spouse, as individuals, for the years 2005 to the  
8 present.

9           13. All Form 1099s received by Great Valley for the years 2005 to the present.

10          14. All Form 1099s and Form W-2s issued by Great Valley for the years 2005 to the  
11 present, with Social Security and Employer Identification numbers redacted.

12          15. All notes or loans between Great Valley and its shareholders existing at any  
13 point during the years 2005 to the present.

14          16. All notes or loans between Great Valley and Richard W. Keil and/or his spouse  
15 existing at any point during the years 2005 to the present.

16          17. Copies of each lease agreement relating to any real property in which Great  
17 Valley had or has a financial interest, including as a beneficiary of a trust, on or after  
18 January 1, 2005.

19          18. Copies of each lease agreement relating to any real property, in which Richard  
20 W. Keil had or has a financial interest, including as a beneficiary of a trust, on or after  
21 January 1, 2005, including the real property located at 2329 Fulton Avenue, Sacramento,  
22 California.

23          19. Copies of each lease agreement relating to any real property, including the real  
24 property located at 2329 Fulton Avenue, Sacramento, California, in which a spouse of  
25 Richard W. Keil had or has a financial interest, including as a beneficiary of a trust, on or  
26 after January 1, 2005.

27          20. Identification by entity name and all fictitious business names of all other trades  
28 or businesses other than Great Valley that operated on the real property located at 2329

1 Fulton Avenue, Sacramento, California.

2 21. Identification by name and/or fictitious business names all owners of any trades  
3 or businesses identified by the preceding request number 20.

4 22. Federal Form 1040 Individual Income Tax Return for Richard W. Keil and/or his  
5 spouse for 2005 to the present with lines 7, 12, 14, 17, 18, 21, 25, 27, 28, 29 and 58  
6 unredacted (other entries may be redacted) and all supporting schedules, statements,  
7 forms and/or attachments (unredacted), including

8 a. Form 1040 (Schedule C) Profit or Loss from Business (Sole  
9 Proprietorship);

10 b. Form 1040 (Schedule E) Supplemental Income and Loss;

11 c. Form K-1s received for respective tax year;

12 d. Form 4562 Depreciation and Amortization;

13 e. Form 4797 Sales of Business Property;

14 f. Form 1040 (Schedule SE) Self-Employment Tax;

15 g. All documents, including financial statements, general ledgers, Form  
16 1099s (both received and issued), check registers and bank statements, for activities  
17 reported on Schedules C and E;

18 h. All documents that list by description and/or amount items reported on  
19 Form 4562;

20 i. All documents that list by description and/or amount items reported on  
21 Form 4797;

22 j. All Form W-2s; and

23 k. All Form 1099s other than 1099-INT and 1099-DIV.

24 23. State Individual Income Tax Return (e.g. California Form 540) for Richard W.  
25 Keil for the years 2005 to the present and all supporting schedules, statements, forms  
26 and/or attachments.

27 24. Identification by names and business address of each tax professional that  
28 assisted in the preparation of the individual income tax returns for Richard W. Keil for the

1 years 2005 to the present.

2 25. Great Valley's statement of liquidation or dissolution value for purposes of  
3 ERISA § 4225 and documents relied upon in making this statement.

4 26. The name and last known address of each employee of Great Valley during the  
5 period January 1, 2005 to the present who was (a) Chief financial officer, (b) Bookkeeper,  
6 (c) General manager, (d) Assistant general manager, or (e) Corporate officer.

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8 IT IS SO ORDERED.

9 Dated: October 13, 2011

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PHYLLIS J. HAMILTON  
United States District Judge