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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**PENSION PLAN FOR PENSION TRUST FUND
FOR OPERATING ENGINEERS, ET AL.,**

Plaintiffs,

v.

**CONSTRUCTION MATERIALS TESTING, INC.,
ET AL.,**

Defendants.

CASE NO. 15-cv-05325-YGR

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION
GRANTING MOTION FOR DEFAULT
JUDGMENT**

Re: Dkt. Nos. 20, 58, 72

United States District Court
Northern District of California

The Court has reviewed the Report and Recommendation on plaintiffs' Motion for Default Judgment and Amended Motion for Default Judgment against Construction Materials Testing, Inc. by Magistrate Judge Donna M. Ryu (Dkt. No. 72), to which no party filed an objection. The Report recommends granting the motion at Docket No. 58. The Court finds the Report correct, well-reasoned, and thorough, and adopts it in every respect.

Accordingly, and for the reasons set forth in the Report, plaintiffs' Amended Motion for Default Judgment Against Construction Materials Testing, Inc. (Dkt. No. 58) is **GRANTED**.

The Court having granted the Amended Motion for Default Judgment, it is **ORDERED, ADJUDGED, AND DECREED** that:

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Judgment is entered in favor of plaintiffs Pension Plan for Pension Trust Fund for Operating Engineers, Richard Piombo, and Russell E. Burns, against defendant Construction Materials Testing, Inc. in the amount of: (1) \$2,454,916.00 in withdrawal liability; (2) \$638,278.42 in interest from the period of March 1, 2015 through October 5, 2017; (3) an accruing interest at the rate of \$672.58 per day from October 6, 2017 until the full withdrawal liability is paid; and (4) liquidated damages equivalent to the total calculated interest amount.

This Order terminates Docket Nos. 20, 58, & 72.

IT IS SO ORDERED.

Dated: November 16, 2017


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE