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United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE  
CEMENT MASONS HEALTH AND  
WELFARE TRUST FUND FOR  
NORTHERN CALIFORNIA, et al.,

Plaintiffs,

v.

BRENEMAN, INC., a California  
corporation; and JAMES G. BRENEMAN,  
an individual,

Defendant.

Case No. 16-cv-01640-YGR

**JUDGMENT IN FAVOR OF CEMENT MASONS  
TRUST FUNDS PLAINTIFFS**

The Court having granted the unopposed motion of plaintiffs Board of Trustees of the Cement Masons Health and Welfare Trust Fund for Northern California, Board of Trustees of the Cement Masons Vacation-holiday Trust Fund for Northern California, Board of Trustees of the Cement Masons Pension Trust Fund For Northern California and Board of Trustees of the Cement Masons Training Trust Fund for Northern California (collectively, "Cement Masons Trust Funds") for summary judgment against defendants Breneman, Inc. and James G. Breneman,

**IT IS HEREBY ORDERED, ADJUGED, AND DECREED** that plaintiffs Cement Masons Trust Funds are entitled to judgment as a matter of law against defendants Breneman, Inc. and James G. Breneman as follows:

**Breneman, Inc.**

**Liquidated Damages and Interest on  
Contributions Paid, but Paid Late:**

**\$22,622.04**

**Contributions Reported, Not Paid:**

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• § 1132(g)(2)(A) unpaid contributions:	\$34,223.52
• § 1132(g)(2)(B) interest:	\$6,705.58
• § 1132(g)(2)(C) interest:	<u>\$6,705.58</u>
Sub Total:	<b>\$47,634.68</b>

**Contributions Not Reported, Not Paid:**

• § 1132(g)(2)(A) unpaid contributions:	\$4,305.54
• § 1132(g)(2)(B) interest:	\$2,685.07
• § 1132(g)(2)(C) interest:	<u>\$2,685.07</u>
Sub Total:	<b>\$9,675.68</b>

**Attorneys' Fees and Costs:**

<b>TOTAL:</b>	<b><u>\$9,529.07</u></b>
	<b>\$89,461.47</b>

Moreover, Cement Masons Trust Funds are entitled to an audit of Breneman, Inc.'s books and records for the period July 1, 2015, to the present. The Court will retain jurisdiction to enforce the order for an audit and amend the judgment to reflect any contributions and interest owed by Defendants after Plaintiffs submit an additional declaration setting forth the results of the audit and proving up their request for damages.

**James G. Breneman.**

<b>Unpaid Payment Plan Contributions:</b>	<b>\$84,896.72</b>
<b>Liquidated Damages and Interest:</b>	<b>\$38,599.42</b>
<b>Attorneys' Fees and Costs:</b>	<b><u>\$9,529.07</u></b>
<b>TOTAL:</b>	<b>\$133,025.21</b>

**IT IS SO ORDERED.**

Dated: October 10, 2017



**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**