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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

13 THE BOARD OF TRUSTEES, in their
 14 capacities as Trustees of the LABORERS
 15 HEALTH AND WELFARE TRUST FUND
 16 FOR NORTHERN CALIFORNIA, et al.,
 17
 18 Plaintiffs,
 19
 20 v.
 21 VALLEY UTILITY SERVICES, INC., a
 22 California Corporation, et al.,
 23
 24 Defendants.

No. 4:16-cv-02003-YGR
 [PROPOSED] JUDGMENT¹
 Judge: Hon. Yvonne Gonzalez Rogers
 AS MODIFIED BY THE COURT

21 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT** Judgment is
 22 entered in favor of Plaintiffs THE BOARD OF TRUSTEES, in their capacities as Trustees of the
 23 LABORERS HEALTH AND WELFARE TRUST FUND FOR NORTHERN CALIFORNIA;

24 ¹ On September 28, 2017, almost one week after the Court adopted Magistrate Judge
 25 Maria-Elena James' Report and Recommendation and granted plaintiffs' motion for default
 26 judgment, defendant John Benedict filed an objection to the Report. (Dkt. No. 58.) Defendant
 27 Benedict's objection was filed several days past the deadline for filing objections. Benedict notes
 28 that he knew nothing of this litigation until he received a copy of the Report, dated September 1,
 2017, however, he received personal service on September 16, 2016. (Dkt. No. 31.) In any
 event, defendant Benedict's objections contain no meritorious grounds to reconsider the Court's
 prior grant of the motion for default judgment. Accordingly, the Court **OVERRULES** defendant
 Benedict's objections.

1 LABORERS VACATION-HOLIDAY TRUST FUND FOR NORTHERN CALIFORNIA;
2 LABORERS PENSION TRUST FUND FOR NORTHERN CALIFORNIA; and LABORERS
3 TRAINING AND RETRAINING TRUST FUND FOR NORTHERN CALIFORNIA (“Trust
4 Funds”) and against Defendants VALLEY UTILITY SERVICES, INC.; UTILITIES SERVICES
5 OF NEVADA, INC. d/b/a Utility Services of NV, Inc.; and JOHN BENEDICT (collectively
6 “Defendants”) as follows:

7 1. Defendants, and each of them, are ordered to pay \$1,351,677.21 in past due
8 contributions for January 2013 to December 2014 owed to the Trust Funds;

9 2. Defendants, and each of them are ordered to pay \$354,052.80 in liquidated
10 damages and interest in relation to unpaid contributions for January 2013 through December 2014
11 owed to the Trust Funds;

12 3. Defendants, and each of them, are ordered to pay \$7,708.26 in delinquent fringe
13 benefits contributions for April 2015 to September 2015 owed to the Trust Funds;

14 4. Defendants, and each of them, are ordered to pay \$5,445.08 in liquidated damages
15 and interest in relation to unpaid contributions for April 2015 to September 2015 owed to the
16 Trust Funds;

17 5. Defendants, and each of them are ordered to submit to an audit covering the period
18 January 1, 2015 to the present.

19 6. Defendants, and each of them are ordered to pay \$9,882.50 in attorneys’ fees and
20 \$1,803.96 in costs owed to the Trust Funds; and

21 7. The District Court retains jurisdiction to enforce the order compelling the audit
22 and to amend the judgment to reflect any contributions and interest owed by Defendants, and
23 each of them, after Plaintiffs submit an additional declaration setting forth the results of the audit
24 and proving up their request for damages.

25 **IT IS SO ORDERED.**

26 DATED: October 6, 2017

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28 HONORABLE YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE