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8 Counsel for Defendant/Third-Party Plaintiff
9 Road and Highway Builders, LLC

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 THE BOARD OF TRUSTEES, in their
13 capacities as Trustees of the CONSTRUCTION
14 INDUSTRY AND LABORERS HEALTH AND
15 WELFARE TRUST FUND; CONSTRUCTION
16 INDUSTRY AND LABORERS JOINT PENSION
17 TRUST FUND; CONSTRUCTION INDUSTRY
18 AND LABORERS VACATION TRUST FUND;
19 and SOUTHERN NEVADA LABORERS LOCAL
20 872 TRAINING TRUST,

CASE NO. : 2:11-cv-01579-JCM-(VCF)

21 Plaintiffs,

22 vs.

23 ROAD AND HIGHWAY BUILDERS, LLC, a
24 Nevada limited liability company,

25 Defendant.

26 ROAD AND HIGHWAY BUILDERS, LLC, a
27 Nevada limited liability company,

28 Third-Party Plaintiff,

29 vs.

30 EDITH MARTINEZ,

31 Third-Party Defendant.

DEFAULT JUDGMENT AGAINST THIRD-PARTY DEFENDANT EDITH MARTINEZ

32 On January 25, 2012 defendant Road & Highway Builders, LLC filed its third-party

1 complaint for express contractual indemnity, equitable indemnity and fraud. The third-party
2 complaint was personally served on third-party defendant Edith Martinez on February 29,
3 2012, who failed to plead or otherwise defend; consequently, a default was entered on
4 January 30, 2013.

5 Third-party plaintiff Road & Highway Builders, LLC filed its motion for entry of a
6 default judgment on January 31, 2013. On March 29, 2013 this Court entered its order
7 directing a default judgment against third-party defendant Martinez on the fraud claim for
8 relief only. Therefore,

9 IT IS ORDERED that defendant/third party plaintiff Road & Highway Builders, LLC
10 recover from third-party defendant Edith Martinez the following amounts:

11 1. \$125,000.00, which is the sum paid in settlement by Road & Highway Builders,
12 LLC to the plaintiffs;

13 2. Prejudgment interest at the rate of 5.25% from February 29, 2013, the date of
14 service of the summons and third-party complaint upon third-party defendant Martinez, to
15 the date of the entry of judgment;

16 3. Pursuant to 28 U.S.C. §1961, post-judgment interest at the rate of 0.09% until
17 the judgment has been satisfied, and

18 4. \$25,437.50 for attorney's fees as an item of special damages in defending the
19 plaintiffs' suit.

20 DATED May 22, 2014.

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24 UNITED STATES DISTRICT JUDGE
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