

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NORTHWEST SHEET METAL WORKERS ORGANIZATIONAL TRUST,

Plaintiff,

V.

4 SEASONS MECHANICAL, and
MIKE MATTILA

Defendant.

C16-1736 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Plaintiff's Renewed Motion for Default Judgment, docket no. 17 (the "Motion"), is DENIED without prejudice. Plaintiff seeks \$154,222.10 in contributions, \$16,077.20 in liquidated damages, \$4,643.68 in pre-judgment interest, \$400.00 in costs, \$3,623.00 in attorney's fees, and post-judgment interest at 1.41% per annum. *See* Motion at 1-2. The Motion relies on the "Renewed Declaration of Daniel Hutzenbiler [, docket no. 18, the 'Hutzenbiler Declaration']with attached exhibits, the Complaint and Answer, and the file and record herein." *Id.* at 4. The Court cannot reconcile the amounts requested in the Motion with the evidence relied on. Specifically, the amounts listed in the Motion are internally inconsistent and conflict with the numbers and calculations contained in the Hutzenbiler Declaration. Both the Motion and the Hutzenbiler Declaration conflict with the data and information contained in the supporting exhibits. Additionally, Plaintiff cites to documents not in the record. *See, e.g.*, Motion at 3 (citing to "Answer, Dkt. #5"). Accordingly, the Court declines to enter default judgment at this time.

(2) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 27th day of October, 2017.

William M. McCool

Clerk

s/Karen Dews

Deputy Clerk