

1 HONORABLE RICHARD A. JONES
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 NORTHWEST ADMINISTRATORS
11 INC.,

12 Plaintiff,

13 v.

14 ROSS ISLAND SAND & GRAVEL
15 CO., an Oregon corporation,

16 Defendant.
17

CASE NO. C17-622RAJ

ORDER

18 This matter comes before the Court on Plaintiff's motion for default judgment.
19 Dkt. # 8. The Court **GRANTS** the motion and directs the clerk to enter default judgment
20 as directed at the conclusion of this order.

21 The Court's role in reviewing a motion for default judgment is not ministerial. It
22 must accept all well-pleaded allegations of the complaint as fact, except facts related to
23 the amount of damages. *TeleVideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917-18 (9th
24 Cir. 1987). Where those facts establish a defendant's liability, the Court has discretion,
25 not an obligation, to enter a default judgment. *Aldabe v. Aldabe*, 616 F.2d 1089, 1092
26 (9th Cir. 1980); *Alan Neuman Productions, Inc. v. Albright*, 862 F.2d 1388, 1392 (9th
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1 | Cir. 1988). The plaintiff must submit evidence supporting a claim for a particular sum of
2 | damages. *TeleVideo Sys.*, 826 F.2d at 917-18; *see also* Fed. R. Civ. P. 55(b)(2)(B). If the
3 | plaintiff cannot prove that the sum it seeks is “a liquidated sum or capable of
4 | mathematical calculation,” the Court must hold a hearing or otherwise ensure that the
5 | damage award is appropriate. *Davis v. Fendler*, 650 F.2d 1154, 1161 (9th Cir. 1981).

6 | Plaintiff is the authorized administrative agent for and assignee of the Western
7 | Conference of Teamsters Pension Trust Fund. The evidence it has presented establishes
8 | that Defendant was delinquent in its monthly contributions to the fund. The evidence
9 | demonstrates that the amount of liability for the delinquency is \$8,347.56, plus liquidated
10 | damages in the amount of \$1,789.06, and interest in the amount of \$117.14.

11 | In addition, Plaintiff requests attorney fees and costs. Although Plaintiff’s
12 | evidence of attorney fees includes the hourly fees of non-attorneys, Plaintiff has
13 | established that its counsel does not incorporate non-attorney work into his hourly rate,
14 | and has established that counsel actually bills Plaintiff for the work of non-attorneys.
15 | Dkt. # 8 at 5-6. In accordance with *Trustees of the Const. Indus. & Laborers Health &*
16 | *Welfare Trust v. Redland Ins. Co.*, 460 F.3d 1253, 1256-57 (9th Cir. 2006), the Court
17 | awards the hourly fees of both Plaintiff’s counsel and counsel’s hourly-billing support
18 | staff. The Court finds that Plaintiff’s evidence supports an attorney fee award of \$725.95
19 | and costs of \$449.50.

20 | The clerk shall enter default judgment in accordance with this order.

21 | Dated this 28th day of June, 2017.

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25 | The Honorable Richard A. Jones
26 | United States District Judge
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