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THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NORTHWEST ADMINISTRATORS, INC.,

Plaintiff,

v.

DPI SPECIALTY FOODS, INC., a  
Delaware corporation,

Defendant.

No. C18-150-JLR

ORDER TO COMPEL AUDIT

THIS MATTER coming on duly and regularly for consideration upon Plaintiff's motion for entry of an Order requiring Defendant to make available to Plaintiff's Trust Fund's representatives any and all payroll records, information, data, reports, documents and other financial records requested by the Trust Funds' auditors so that they may conduct a thorough examination of Defendant's books and records covering the period March 1, 2013 to the Present Date, the Plaintiff being represented by its attorney, Russell J. Reid of Reid, McCarthy, Ballew & Leahy, L.L.P., the Defendant not being represented by counsel, and the Court having reviewed the records and file herein, including the Declaration of Yasmin Gonzalez and the exhibits thereto, the Declaration of Russell J. Reid, and the exhibits thereto,

ORDER TO COMPEL AUDIT – C18-150-JLR  
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1 in support of Plaintiff's motion, and being fully advised in the premises, now, therefore,  
2 it is hereby,

3 ORDERED that Defendant, DPI Specialty Foods, Inc. be and hereby is  
4 DIRECTED BY THE COURT, within fifteen (15) days of the entry of this Order to:

5 A. Make available to Plaintiff Trust Funds' authorized representatives the  
6 following documents:

- 7 1. All invoices from all temporary agencies that were utilized,  
8 containing employee information for all hours  
9 worked/compensated within the audit period of **3/01/2013 –**  
10 **4/30/2017**. It is preferred that invoices contain the following  
11 information: employee name, employee SSN, hours (weekly or  
12 bi-weekly breakdown), earnings, and titles/job duties. The  
13 Auditor is also requesting an updated roster with clarification of  
14 job codes: 9999, 07RSU, SSM55102, and SM55101.
- 15 2. The auditor also requires additional information for the following  
16 people:

17 **Account #216086 (Janitors, Maintenance, and Mechanics)**

- 18 A. Garcia Velasco, Esteban – had *Freezer* hours compensated for  
19 the employee at a straight time rate in pay period end date:  
20 12/27/14. Describe what type of work was being performed to  
21 be compensated *Freezer* hours.
- 22 B. Morales, J.L. – for the pay period end date: 10/19/13, Employee  
23 had 8 floating holiday hours compensated. Also, the employee  
24 had 8 Floating Doc hours removed taken away. Clarify the  
25 compensation code: 9x-Floating Doc.
- 26 C. Martinez, Erik – the employee is classified as Selector; however,  
account #216086 is for employees performing Janitors,  
Maintenance, and Mechanics. Clarify if the employee  
misclassified? If not, clarify if the employee ever performed the  
duties that employees classified as Janitors, Maintenance or  
Mechanics perform.
- D. Zamora, Jose M. – employee was reported in account #23128  
(Warehousemen) from 01/01/16-05/31/16. Clarify if the

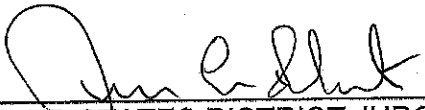
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employee ever switched positions. Documentation is needed that shows the employee was classified as a Warehouseman or performing the same duties, and when the employee switched to and from positions.


**Account #203427 (Truck Drivers Local 683)**

A. Gonzalez-Yanez, Jorge (xxx-xx-██████) – Employee was reported in account #203426 (Truck Drivers Local 848) from 11/01/2012 – 01/01/2016. From 02/01/2016-04/01/17 the employee was reported in account #203427. Provide proof that the employee switched from Local Union 683 to Local Union 848 and the dates when the switch occurred.

ORDERED ENTERED this 22<sup>nd</sup> day of March, 2018.

  
UNITED STATES DISTRICT JUDGE

Presented for entry by:

  
\_\_\_\_\_  
Russell J. Reid, WSBA #2560  
of Reid, McCarthy, Ballew & Leahy, LLP  
Attorney for Plaintiff

