	ADN # 1220-01-001-063			JENKINS & CARTER	
1	APN#1220.	-01-001-003	Do Werner Page: 1	uglas County - NV Christen - Recorder Of 4 Fee: 1	
/ 1	Recording Requested by:		вк-0905	PG- 6778 RPTT:	
I	Name	Jenkins & Carter			
1	Address	501 Hammill Lane	4	( for Recorder's use only )	
(	City/State/Zip	Reno, NV 89511-1004			
		Judgment (Title of Do	cument)		

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This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

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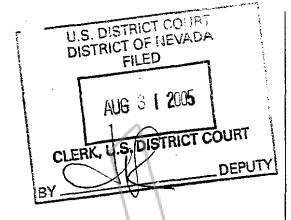
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**JENKINS & CARTER** 

501 Hammill Lane

JERRY C. CARTER (5905) JENKINS & CARTER 501 Hammill Lane Reno, NV 89511 (775) 829-7800 Attorneys for Plaintiff



UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

TRUSTEES of the NORTHERN NEVADA OPERATING ENGINEERS HEALTH & WELFARE TRUST FUND, et al.,

Case No. CV-N-05-0255-HDM-VPC

Plaintiffs,

SEP - 1 2005

VS.

JUDGMENT

TILLACK SWEEPING, INC., a Nevada corporation; RUSSELL F. TILLACK; DOES 1-100; and BLACK AND WHITE COMPANIES 101-200,

Defendants.

Defendants Tillack Sweeping, Inc., a Nevada Corporation ("Tillack Sweeping"), and Russell F. Tillack ("Mr. Tillack") (collectively, "Defendants"), having been regularly served with Summons and Plaintiffs' Complaint and having failed to appear and answer Plaintiff's Complaint, the legal time for answering having expired, and no answer or demurrer having been filed, the default of said Defendant having been duly entered according to law; upon application of said Plaintiffs, Judgment is hereby entered against said Defendants, jointly and severally, pursuant to the prayer of Plaintiff's Complaint.

WHEREFORE, by virtue of the law and by reason of the moving papers, IT IS ORDERED, ADJUDGED, AND DECREED, that said Plaintiffs shall recover from said Defendant the sum of \$8,595.88, consisting of delinquent fringe benefit contributions in the amount of \$3,122.01, interest in the amount of \$262.27, liquidated damages in the amount of



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\$1,706.59, costs and disbursements incurred in this action in the amount of \$541.01, and a reasonable attorney's fee in the amount of \$2,964.00, together with post-judgment interest thereon at the statutory rate from the date hereof until paid.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall, within twenty (20) days from the date of this order, submit accurate and fully-paid employer contribution reports for the months of November 2004 through the present, and shall pay Plaintiffs the amount of any delinquency in fringe benefit contributions, plus interest and liquidated damages assessed pursuant to Defendants' collective bargaining agreements and Plaintiffs' Trust Agreements. Thereafter, Defendants shall timely submit accurate and fully-paid employer contribution reports for all subsequent months for which Defendants' collective bargaining agreements require defendants to do so. In the event Defendants fail to submit full payment with each of the monthly employer contribution reports described above, such unpaid amount, together with the interest and liquidated damages assessed pursuant to Defendants' collective bargaining agreements and Plaintiffs' Trust Agreements and all resulting attorneys' fees and costs incurred by Plaintiffs shall be deemed to be added to the amount of this Judgment.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant, upon ten (10) days' written notice from Plaintiffs, shall provide unfettered audit entry to Plaintiffs so that Plaintiffs' auditor may determine the exact amounts owed by Defendants for the audit period August 1, 2000 through August 31, 2005 (the "Audit Period"). Defendants shall produce to Plaintiffs' auditor all of the following documents related to the Audit Period: (a) Individual Earnings Records (compensation); (b) W-2 forms; (c) 1069 and 1099 forms; (d) reporting forms for all Trust Funds; (e) State tax reports; (f) workers compensation insurance reports; (g) employee time cards; (h) payroll journals; (i) quarterly payroll tax returns; (j) check registers and supporting cash vouchers; (k) Form 1120-1140 or partnership tax returns; (1) general ledger; and (m) all other documents requested by the Trust Fund's auditor. Within ten (10) days of the issuance of the auditor's report, Defendants shall pay Plaintiffs the full amount of all delinquent fringe benefit contributions, interest, liquidated damages, and the cost of the audit in the amounts determined by the payroll audit. In the event Defendants fail to pay

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Plaintiffs the full amount of all delinquent fringe benefit contributions, interest, liquidated damages, and the cost of the audit in the amounts determined by the payroll audit, then such unpaid amounts, together with all resulting attorneys' fees and costs incurred by Plaintiffs shall be deemed to be added to the amount of this Judgment.

JUDGMENT RENDERED:

2005.

Submitted by: Jenkins & Carter Attorneys for Plaintiffs

CERTIFIED TO BE A TRUE COPY Clerk Wifed States District Court

**Deputy Clerk** 

PG-