

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
vs.
PACIFIC DESIGN FURNITURE,
INC., et al.,
Defendants.

Case No. 2:15-cv-01526 JAK (Ex)

JUDGMENT

JS-6

On July 9, 2015, the Court granted the United States Motion for Default Judgment and ordered the Government to lodge a proposed judgment consistent with its Order. (Dkt. No. 17, p. 6). Thereafter, the United States filed its proposed judgment which was served on Defendants.

Pursuant to the Government’s proposed judgment, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendants Pacific Design Furniture Inc., a California corporation (“Pacific Design”), and Charles Ray (collectively “Defendants”), are enjoined as follows:

1. Defendants, individually and doing business under any other name or using any other non-Pacific Design Furniture Inc. entity, and their representatives, agents, servants, employees, attorneys, successors in interest and assigns, and anyone in active concert or participation with them, are prohibited from failing to withhold and pay over to the IRS all employment taxes, including federal income and FICA taxes, required by

1 law;

2 2. Defendants are ordered to segregate and hold separate and apart from all
3 other funds the monies withheld from employees or collected from others for taxes under
4 any internal revenue law of the United States and to deposit the monies so withheld and
5 collected, as well as the employer's share of FICA taxes, in an appropriate federal
6 depository bank in accordance with the federal deposit regulations;

7 3. Defendants are ordered to deposit FUTA taxes in an appropriate federal
8 depository bank each quarter in accordance with the federal deposit regulations;

9 4. Defendants, and any other individuals at Pacific Design who are responsible
10 for carrying out the duties established under paragraphs 2 and 3 above, are ordered for a
11 period of five years from the date of an order, to sign and deliver affidavits to Gene Yee,
12 the assigned IRS revenue officer, at 9350 E. Flair Drive, 4th Floor, El Monte, CA 91731,
13 or to such other specific location or person as the IRS may deem appropriate, no later
14 than the twentieth day of each month, stating that the requisite withheld income, FICA,
15 and FUTA tax deposits were timely made;

16 5. Defendants are ordered to timely file all Forms 940 and 941 unemployment
17 and employment tax returns with Revenue Officer Yee at 9350 E. Flair Drive, 4th Floor,
18 El Monte, CA 9173, or at such other specific location or person as the IRS may deem
19 appropriate;

20 6. Defendants are ordered to timely pay all required outstanding liabilities due
21 on each tax return required to be filed;

22 7. Defendants, and their representatives, agents, servants, employees,
23 attorneys, successors in interest and assigns, and anyone in active concert or participation
24 with them, are ordered in the event all required outstanding liabilities due on each
25 employment tax return required to be filed going forward from the date of the injunction
26 are not timely paid, from assigning any of Pacific Design's property or rights to property
27 or making any disbursements from Pacific Design's assets before paying the delinquent
28 federal employment and unemployment taxes due for a given payroll period; and

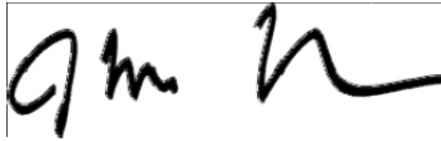
1 8. Defendants are ordered to notify the IRS of their future employment tax
2 conduct with respect to any new or presently unknown company, including the
3 imposition of an affirmative duty upon Charles Ray to notify Revenue Officer Yee (or
4 such other person as directed by the IRS) in the future of any new company, including
5 resuming any previous company that is now dormant, either may come to own, manage,
6 or work for in the next five years;

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants
8 post and keep posted for five years in one or more conspicuous place on the business
9 premises where notices to employees are customarily posted, a copy of this judgment and
10 the Court's order entering default judgment.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court will
12 retain jurisdiction to ensure compliance with this judgment.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the action be,
14 and it hereby is, dismissed.

15
16 DATED: August 21, 2015



17 HON. JOHN A. KRONSTADT
18 United States District Judge
19
20
21
22
23
24
25
26
27
28