

**EXHIBIT  
10**

TUCKER ELLIS LLP  
Bart L. Kessel SBN 125080  
bart.kessel@tuckerellis.com  
Alexander J.L. Kaplan SBN 308257  
alexander.kaplan@tuckerellis.com  
515 South Flower Street  
Forty-Second Floor  
Los Angeles, CA 90071  
Telephone: 213.430.3400  
Facsimile: 213.430.3409

Attorneys for Plaintiff,  
Anthony Allega Cement Contractor Inc.

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

ANTHONY ALLEGA CEMENT  
CONTRACTOR INC., an Ohio  
Corporation,

Plaintiff,

v.

GUNTERT & ZIMMERMAN CONST.  
DIV., INC., a California Corporation,

Defendant.

Case No. 2:22-cv-01806-JAM-DB

**NOTICE OF ENTRY OF DEFAULT  
JUDGMENT FOR SUM CERTAIN**

Judge: Hon. John A. Mendez\_

Complaint Filed: October 11, 2022

1 TO DEFENDANT GUNTERT & ZIMMERMAN CONST. DIV., INC., AND ITS  
2 ATTORNEY(S), IF ANY:

3 NOTICE IS HEREBY GIVEN that on March 16, 2023, default judgment was  
4 entered for a sum certain in favor of plaintiff ANTHONY ALLEGA CEMENT  
5 CONTRACTOR INC. ("Plaintiff"), and against defendant GUNTERT & ZIMMERMAN  
6 CONST. DIV., INC. ("Defendant"), in the above-entitled action. A true and correct copy  
7 of the operative default judgment entered March 16, 2023, is attached hereto as Exhibit 1.  
8

9 Dated: June 14, 2023

TUCKER ELLIS LLP

By: /s/ Alexander J.L. Kaplan

Bart L. Kessel

Alexander J.L. Kaplan

Attorneys for Plaintiff,

Anthony Allega Cement Contractor Inc.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles. I am over the age of eighteen years and not a party to the within entitled action. My business address is 515 South Flower Street, Forty Second Floor Los Angeles, CA 90071.

On June 14, 2023, I served the foregoing document(s), described as **NOTICE OF ENTRY OF DEFAULT JUDGMENT FOR SUM CERTAIN** on the interested party(ies) in this action as follows:

|                                                                                     |                  |
|-------------------------------------------------------------------------------------|------------------|
| Guntert & Zimmerman, Const. Div., Inc.<br>222 East Fourth Street<br>Ripon, CA 95366 | <i>Defendant</i> |
|-------------------------------------------------------------------------------------|------------------|

- (XX) **BY MAIL:** By placing a true copy thereof enclosed in a sealed envelope(s) addressed as above, and placing each for collection and mailing on that date following ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service in Los Angeles, California, in a sealed envelope with postage fully prepaid.
- ( ) **BY OVERNIGHT DELIVERY:** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed as noted below. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- ( ) **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.
- ( ) **STATE:** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- (XX) **FEDERAL:** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 14, 2023, at Los Angeles, California.

/s/ Michisha Jiles  
Michisha Jiles

# Exhibit 1

**FILED**

**Mar 16, 2023**

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
FOR THE  
EASTERN DISTRICT OF CALIFORNIA

Anthony Allega Cement Contractor,  
Inc. ,

Plaintiff,

v.

Guntert & Zimmerman, Const. Div.  
Inc.,

Defendant.

Case No. 2:22-cv-1806 JAM DB

**AMENDED DEFAULT JUDGMENT**

**IT IS ORDERED AND ADJUDGED** default judgment is hereby  
ENTERED against defendant Guntert & Zimmerman, Const. Div.  
Inc. in the amount of \$594,984.00.

March 16, 2023

KEITH HOLLAND, CLERK

By: /s/ J. Donati, Deputy Clerk