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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Lexington Insurance Company,

No. CV-12-02119-PHX-JAT

10 Plaintiff/
11 Counterdefendant,

JUDGMENT

12 v.

13 Scott Homes Multifamily Incorporated, et
14 al.,

15 Defendants/
16 Counterclaimants.

17 **IT IS ORDERED AND ADJUDGED AS FOLLOWS:**


18 This matter was tried and the jury rendered a verdict. (Doc. 463). At the time of
19 trial, Counts II, III, IV, V, VI, VII, VIII, IX, X, and XI of the Complaint (Doc. 1)
20 remained. (Doc. 323 at 49). At the time of trial, Count I of the Counterclaim (Doc. 10) as
21 to coverage remained. (Doc. 323 at 50). All other Counts contained in the Complaint and
22 Counterclaim were dismissed prior to trial. (Doc. 323 at 49–50, Doc. 405 at 2).

23 Based on the jury's verdict, the Court enters the following judgment on all
24 remaining Counts in the Complaint and Counterclaim in favor of
25 Defendants/Counterclaimants Silverbell 290 L.P. ("Silverbell") and Scott Homes
26 Multifamily, Inc. ("Scott Homes") and orders that Silverbell shall recover from
27 Plaintiff/Counterdefendant Lexington Insurance Company ("Lexington") in the amount
28 of \$3,410,000.01 dollars. The amount of this judgment shall be subject to prejudgment
interest at the rate of 10% per annum, beginning on March 5, 2013, calculated on the

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daily average of the remaining principal balance after deducting each offset on the date of payment, compounded annually until the date of this judgment. The amount of this judgment shall be subject to post-judgment interest at the rate of 0.23% per annum.

Dated this 30th day of October, 2015.



James A. Teilborg
Senior United States District Judge