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**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

SAFECO Insurance Company of
America, a Washington corporation,
Plaintiff
vs.
Robert Rawstron and Carla Rawstron,
Defendants
Robert Rawstron and Carla Rawstron,
Counterclaimants,
vs.
SAFECO Insurance Company of
America, a Washington corporation,
Counterclaim Defendant

Case No. CV 96-5139 RSWL (AJWx)
**RENEWED JUDGMENT AGAINST
CARLA RAWSTRON**

On March 7, 2000, this court entered a judgment as follows:
“This action came on for hearing on January 25, 1999, the Honorable
Ronald S. W. Lew, presiding on a motion for summary judgment, and

1 was disposed of based on the papers filed pursuant to Federal Rules of
2 Civil Procedure, Rule 78. Such evidence as is properly before the court
3 having been fully considered, the issued having been fully heard, and a
4 decision having been duly rendered,

5 IT IS ORDERED, ADJUDGED AND DECREED that:

- 6 1. Judgment is granted in favor of plaintiff and counterdefendant
7 SAFECO Insurance Company of America (“SAFECO”) against
8 defendant and counterclaimant Carla Rawstron on the fifth claim
9 in the first amended complaint, for declaratory relief. The
10 SAFECO Quality Plus homeowners policy, policy No.
11 oA2619461, is void the extent of Carla Rawstron’s interest
12 therein, and SAFECO is entitled to restitution.
- 13 2. Judgment is granted in favor of SAFECO against Carla Rawstron
14 on the sixth claim in the first amended complaint, for restitution,
15 and on the seventh claim in the first amended complaint, for
16 fraud, in the following amounts:
- 17 a. \$367,143.14 in benefits paid to Carla Rawstron, plus pre-
18 judgment interest at the rate of 10% per year from the date each
19 payment was made:
- 20 b. \$3,196.00 in investigative expenses, plus pre-judgment
21 interest at the rate of 10% per year from the date each payment
22 was made;
- 23 c. \$3,820.00 in investigative costs, plus pre-judgment interest
24 at the rate of 10% per year from the date each payment was
25 made; and
- 26 d. post-judgment interest at the statutory rate from the date
27 this judgment was entered.

1 3. Judgment is granted in favor of SAFECO and against Carla
2 Rawstron on all her counterclaims.

3 4. SAFECO shall recover its reasonable costs to be determined by
4 the clerk of the court.”

5 On April 17, 2000, this court taxed \$41,354.45 in costs in favor of SAFECO
6 Insurance Company of America and against Carla Rawstron on the judgment
7 entered on March 7, 2000.

8 Prior to Public Law 106-554, effective December 21, 2000, 28 U.S.C. §1691
9 calculated the rate of interest on civil judgments by using the coupon issue yield
10 equivalent (as determined by the Secretary of the Treasury) of the average accepted
11 auction price for the last auction of fifty-two week United States Treasury Bills
12 settled immediately prior to entry of the judgment.

13 According to the Treasury Department, the coupon issue yield equivalent (as
14 determined by the Secretary of the Treasury) of the average accepted auction price
15 for the last auction of fifty-two week United States Treasury Bills settled
16 immediately prior the judgment on March 7, 2000 was February 29, 2000 and the
17 coupon issue yield equivalent was 6.197% on February 29, 2000.

18 The judgment and post-judgment interest thereon from March 7, 2000 to
19 September 30, 2009 is \$733,878.22 plus \$119.08 per day from October 1, 2009 to
20 entry of this judgment.

21 SAFECO Insurance Company of America has submitted a timely application
22 to renew the judgment in this action entered on March 7, 2000 in accordance with
23 Federal Rules of Civil Procedure 69.

24 Accordingly,

25 IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

26 The judgment in this action entered on March 7, 2000 in favor of SAFECO
27 Insurance Company of America and against Carla Rawstron is hereby renewed with
28 the money judgment re-calculated as follows:

96-5139 SAFECO v. Carla Rawstron RENEWED JUDGMENT.DOC

1 Judgment is granted in favor of plaintiff and counterdefendant SAFECO
2 Insurance Company of America (“SAFECO”) against defendant and
3 counterclaimant Carla Rawstron on the fifth claim in the first amended complaint,
4 for declaratory relief. The SAFECO Quality Plus homeowners policy, policy No.
5 oA2619461, is void the extent of Carla Rawstron’s interest therein, and SAFECO is
6 entitled to restitution.

7 Judgment is granted in favor of SAFECO against Carla Rawstron on the sixth
8 claim in the first amended complaint, for restitution, and on the seventh claim in the
9 first amended complaint, for fraud, for \$733,878.22 plus \$119.08 per day from
10 October 1, 2009 until entry of this renewed judgment; and post-judgment interest at
11 the statutory rate from the date this renewed judgment is entered.

12 Judgment is granted in favor of SAFECO and against Carla Rawstron on all
13 her counterclaims.

14 IT IS SO ORDERED:

15 DEC 10 2009

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17 HONORABLE RONALD S.W. LEW

18 Senior, U.S. District Court Judge

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