

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

<p align="center">FILED CLERK, U.S. DISTRICT COURT</p> <p align="center">Feb 2, 2017</p> <p align="center">CENTRAL DISTRICT OF CALIFORNIA BY: <u>PMC</u> DEPUTY</p>
--

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

PHASE II TRANSPORTATION,
INC., a California corporation,

Plaintiff,

v.

CAROLINA CASUALTY
INSURANCE COMPANY, a Florida
Corporation, and DOES 1 through 50,
inclusive,

Defendants.

Case No. 2:15-cv-03596-SVW-MRWx
[Assigned to the Hon. Stephen V.
Wilson]

~~PROPOSED~~ **FINAL JUDGMENT**

Case Filing Date: April 10, 2015

JS-6

CAROLINA CASUALTY
INSURANCE COMPANY, a Florida
Corporation,

Counterclaimant,

v.

PHASE II TRANSPORTATION,
INC., a California corporation, and
ROES 1 through 50, inclusive,

Counter-Defendant.

1 On January 27, 2017, this Court entered an order (Docket No. 50) (“Order”)
2 in the captioned action (“Coverage Action”) granting defendant and
3 counterclaimant Carolina Casualty Insurance Company’s Motion for Summary
4 Judgment (Docket No. 25) in its entirety, and denying plaintiff and counter-
5 defendant Phase II Transportation, Inc.’s (“Phase II”) Motion for Summary
6 Judgment (Docket No. 26) in its entirety.

7 For the reasons set forth in the Order, there are no triable issues as to any
8 material facts and CCIC is entitled to judgment against Phase II as a matter of law
9 as to all claims for relief asserted in Phase II’s complaint against CCIC (Docket No.
10 1) (“Phase II Complaint”) and as to all claims for relief asserted in CCIC’s
11 counterclaim against Phase II (Docket No. 22) (“CCIC Counterclaim”).

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

13 1. Judgment shall be and hereby is entered in favor of defendant CCIC
14 against plaintiff Phase II as to all claims for relief in the Phase II Complaint, Phase
15 II shall take nothing pursuant to any of the claims in the Phase II Complaint and the
16 Phase II Complaint is dismissed with prejudice in its entirety.

17 2. Judgment shall be and hereby is entered in favor of counterclaimant
18 CCIC against counter-defendant Phase II as to CCIC’s reimbursement claim against
19 Phase II in the CCIC Counterclaim and that CCIC shall recover from Phase II
20 pursuant to that reimbursement claim the sum of \$354,000 plus prejudgment
21 interest of \$17,212.23 calculated at an interest rate of 7% per annum at a daily rate
22 of \$67.12 and post-judgment interest thereon at the rate of .82% for a daily post-
23 judgment interest rate of \$7.95 and costs in an amount to be determined by the
24 Clerk.

25 //

26 //

27 //

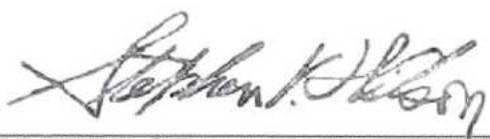
28 //

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

3. There being no just reason to delay the entry of this judgment, this judgment is final and the Clerk is directed to enter this final judgment forthwith pursuant to Fed. R. Civ. P. 58.

IT IS SO ADJUDGED.

DATED: February 2, 2017



UNITED STATES DISTRICT JUDGE
STEPHEN V. WILSON