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

18 DUSTIN K. ADLER, an individual,) Case No. 2:08-CV-01333-JAM-EFB
19 Plaintiff,)
20 vs.)
21 RELYNET, INC., a California Corporation,)
22 MICHAEL DICARLO, an individual,)
23 INTERNET BRAND, INC., a Delaware)
24 corporation, INTERMEDIA OUTDOORS,)
25 INC., a Delaware corporation, VORTEX)
26 MEDIA GROUP, INC., a Delaware)
27 corporation, and DOES 1 through 50,)
28 inclusively,)
Defendants.)

) **ORDER RE: MOTION TO AMEND
JUDGMENT
TO INCLUDE PREJUDGMENT
INTEREST PURSUANT TO FRCP
RULE 59(e)**

Date: April 7, 2010
Time: 9:30 a.m.
Courtroom: 6

Honorable John A. Mendez

RELYNET, INC., a California Corporation,)
MICHAEL DICARLO, an individual, and)
DOES 1 through 50, inclusively,)

Counterclaimants,)

vs.)

DUSTIN K. ADLER, an individual,)

Counterdefendant.)



1 Plaintiff's motion to amend the judgment under FRCP Rule 59(e) came on for hearing on
2 April 7, 2010 on this Court's 9:30 calendar. The Court has considered the evidence admitted at trial,
3 and the jury verdict rendered. It has also considered the underlying briefs and oral argument of
4 counsel. The Court finds that Plaintiff has demonstrated that an award of prejudgment interest is
5 appropriate in this case, and now rules as follows:

6 **IT IS HEREBY ORDERED** that Plaintiff's motion to amend judgment to include
7 prejudgment interest is GRANTED.

8 **IT IS HEREBY FURTHER ORDERED** that the judgment entered herein on February 8,
9 2010 ("Judgment") in the amount of \$1,110,699.00 is ordered amended to include an award of
10 prejudgment interest in the amount of \$90,299.

11 **IT IS HEREBY FURTHER ORDERED** that the judgment entered on February 8, 2010 is
12 hereby amended so that the total amount now due to Plaintiff from Defendants Michael DiCarlo and
13 RelyNet, Inc. is \$1,200,998.00.

14 **IT IS HEREBY ORDERED AND ADJUDGED.**

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16 Dated: April 8, 2010

17 /s/ John A. Mendez
18 JOHN A. MENDEZ
19 Judge of the United States District Court
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