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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,

Plaintiff,

v.

FILBIN LAND & CATTLE CO., INC.,

Defendant.

No. 2:13-cv-01429-TLN-KJN

**ORDER**

The matter is before the Court on Plaintiff's *ex parte* Application for Stipulated Judgment (ECF No. 27) pursuant to the terms of the parties' settlement agreement. The parties agreed to \$1,500 in attorney's fees for filing a stipulated judgement motion and an interest rate of ten percent per annum. The Court calculated the time period from the date of the agreement, October 6, 2015, to the date Plaintiff could have requested judgement from the Court, July 25, 2016.<sup>1</sup> This resulted in interest in the amount of \$1,163.97. Defendant owes \$12,500 remaining on the settlement agreement. Accordingly, good cause being shown and pursuant to the agreement of

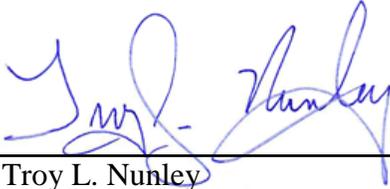
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<sup>1</sup> Plaintiff's Counsel's declaration does not provide the year in which he notified opposing counsel. (ECF No. 27-1 ¶ 4.) However, the Court assumed Plaintiff's Counsel was diligent in notifying Defendant resulting in notification on July 20, 2016. Additionally, Plaintiff's Counsel explains he notified counsel representing Defendant of the default on July 20, but provides no explanation as to why Counsel did not personally notify Defendant until March 8, 2018. (*See* ECF No. 27-1 ¶¶ 4-5.) The Court will not award additional interest beyond July 25, 2016, when Counsel's declaration offers no explanation as to why it so delayed in notifying Defendant personally thereby not demonstrating he acted diligently so as to minimize the cost of interest to Defendant.

1 the parties, the Court hereby enters Judgment in favor of Plaintiff in the amount of \$15,163.97.

2 IT IS SO ORDERED.

3 Dated: April 12, 2018

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7 Troy L. Nunley  
8 United States District Judge  
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