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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

DAVE NAGY,

Plaintiff,

v.

GROUP LONG TERM DISABILITY
PLAN FOR EMPLOYEES OF
ORACLE AMERICA, INC., and
HARTFORD LIFE AND
ACCIDENT INSURANCE
COMPANY,

Defendants.

Case No. 4:14-cv-00038-HSG
[Related to Case No. 4:16-cv-05309-
HSG]

**AMENDED ORDER RE
JUDGMENT FOR “OWN
OCCUPATION” BENEFITS**

On June 9, 2016, this Court entered judgment awarding Plaintiff, Dave Nagy, \$31,106.70 in benefits plus \$5,000 prejudgment interest, and remanding this case to Defendants for consideration of additional benefits under the “any occupation” definition of disability. This judgment was appealed by Defendants to the Ninth Circuit Court of Appeals. On September 9, 2016, Defendants posted \$50,000 cash with the Clerk of this Court to secure payment of the judgment. On June 21, 2018, the Ninth Circuit issued its Memorandum in which it affirmed this judgment, but reversed and remanded the related appeal on attorneys’ fees. A mandate issued from the Ninth Circuit on July 16, 2018. The parties have met and conferred [Dkt.

1 No. 171] and state that they agree as follows:

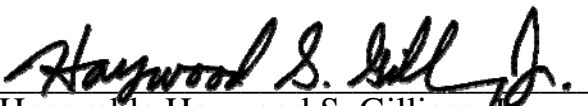
2 The Clerk shall pay the sum of \$36,106.70 plus post judgment interest of
3 \$1,217 for a total of \$37,323.70 from the \$50,000 deposited by Defendants on
4 September 9, 2016, payable to Dave Nagy, and delivered to Mr. Nagy's counsel,
5 Laurence F. Padway. The Clerk shall return remaining funds plus interest earned or
6 accrued interest by issuing a check payable to one Defendant, Hartford Life and
7 Accident Insurance Company, and delivered to Hartford's counsel, Michael B.
8 Bernacchi.

9 Upon payment being made by the Clerk, the judgment of June 9, 2016, shall
10 be satisfied.

11 IT IS SO ORDERED.

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Dated: September 6, 2018


Honorable Haywood S. Gilliam, Jr.
United States District Judge