

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE

Civil Case No. 08-cv-00855-LTB-KMT

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LA PLATA,
COLORADO,

Plaintiff,

v.

BROWN GROUP RETAIL, INC.,
PLUMMER PRECISION OPTICS CO.,
BLUE JAUNTE COMPANY, INC., and
PLUMMER PRECISION OPTICS WESTERN DIVISION, INC.,

Defendants.

ORDER

This case is before me on Plaintiff The Board of County Commissioners of the County of La Plata, Colorado's ("La Plata") Revised Calculation of CERCLA Interest [Doc # 333] by which La Plata requests that it be awarded prejudgment interest in the amount of \$30,027 through March 3, 2011, which is the date I issued my Findings of Fact, Conclusions of Law, and Order. Defendant Brown Group Retail, Inc. ("Brown Group") has no objection to La Plata's calculation of prejudgment interest through March 3, 2011 but argues that prejudgment interest should continue to accrue until the date final judgment is entered. I agree.

IT IS THEREFORE ORDERED that La Plata shall file a revised calculation of prejudgment CERCLA interest through October 31, 2011 and provide a per diem prejudgment interest rate within 14 days of the date of this Order.

Dated: October 17th, 2011 in Denver, Colorado.

BY THE COURT:

s/Lewis T. Babcock
LEWIS T. BABCOCK, JUDGE