

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00513-KLM

MARY E. SPENDRUP, individually and on behalf of Quentin O. Spendrup,

Plaintiff,

v.

AMERICAN FAMILY MUTUAL INSURANCE COMPANY, a Wisconsin corporation,

Defendant.

AMENDED FINAL JUDGMENT

This matter was tried before a jury on May 12-15, 2014. At the conclusion of the trial the jury rendered a verdict in favor of Plaintiff, finding by a preponderance of the evidence that the total economic damages Plaintiff suffered as a result of her husband's death was \$2,165,300.00. The jury also awarded Plaintiff \$336,000.00 in noneconomic damages. The parties agree that offsets totaling \$987,000.00 should be deducted from Plaintiff's recovery. Plaintiff, therefore, is awarded \$1,514,300.00 in damages. Accordingly, the Court further finds that judgment shall enter in favor of Plaintiff and against Defendant with regard to Plaintiff's breach of contract claim.

Pursuant to and in accordance with Fed. R. Civ. P. 58(a), and in accordance with the Order [#103] entered by the Honorable Kristen L. Mix on November 14, 2014,

AMENDED FINAL JUDGMENT is hereby entered in this matter as follows.

IT IS HEREBY **ORDERED** that **JUDGMENT is hereby entered** in favor of Plaintiff

in the amount of \$1,514,300.00.

IT IS FURTHER **ORDERED** that pursuant to Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1, Plaintiff is awarded her reasonable costs incurred in bringing this action, in the amount of \$9,181.97 [#101].

IT IS FURTHER **ORDERED** that Plaintiff is awarded post-judgment interest under 28 U.S.C. § 1961, currently set at the rate of 0.09% from the date of entry of judgment until the award is satisfied.

IT IS FURTHER **ORDERED** that the Final Judgment [#94] entered on May 22, 2014 is modified to include prejudgment interest in the amount of \$817,155.10, which amount is to be added to the amount already awarded to Plaintiff, \$1,514,300.00, for a total of \$2,331,455.10.

Dated: December 2, 2014 at Denver, Colorado.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

By: s/ M. Ortiz
M. Ortiz
Deputy Clerk

APPROVED AS TO FORM:
BY THE COURT:



Kristen L. Mix
United States Magistrate Judge