

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Case No. 13-cv-01932-LTB

CSX TRANSPORTATION, INC.,

Plaintiff,

v.

MARK VII, LLC,

Defendant.

DEFAULT JUDGMENT

PURSUANT to and in accordance with Fed. R. Civ. P. 55(b) and the Order entered by the Honorable Lewis T. Babcock on August 30, 2013, and incorporated herein by reference as if fully set forth, it is

ORDERED that Plaintiff's Motion for Entry of Default Judgment Pursuant to Federal Civil Rule 55(b) is GRANTED. It is

FURTHER ORDERED that default judgment is hereby entered in favor of Plaintiff, CSX Transportation, Inc., and against Defendant, Mark VII, LLC, pursuant to Fed. R. Civ. P. 55(b)(1), in the amount of \$95,649.00, and that plaintiff's Complaint and this civil action are DISMISSED WITH PREJUDICE. It is

FURTHER ORDERED that post-judgment interest shall accrue at the legal rate of 0.14% pursuant to 28 U.S.C. § 1961, from the date of entry of judgment. It is

FURTHER ORDERED that Plaintiff, CSX Transportation, Inc., shall have its costs by the filing of a Bill of Costs with the Clerk of this Court within fourteen days of the entry of judgment, and in accordance with the procedures set forth in Fed. R. Civ. P. 58(a) and D.C.COLO.LCivR 54.1.

DATED at Denver, Colorado this 30th day of August, 2013.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

By: s/ Edward P. Butler

Edward P. Butler, Deputy Clerk