

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Raymond P. Moore**

Case No. 14-cv-00184-RM-KMT

OBERMEYER HYDRO ACCESSORIES, INC.
d/b/a OBERMEYER HYDRO, INC.,

Plaintiff,

v.

CSI CALENDERING, INC.
d/b/a CSI CALENDERING SPECIALISTS, INC.,

Defendant.

ORDER

This matter is before the Court upon the parties' Second Joint Status Report (ECF No. 102). On January 27, 2016, this Court entered summary judgment as to liability in favor of defendant CSI Calendering, Inc. ("CSI"). (ECF No. 98 at 38-39.) At that time, the sole remaining issue was damages, and, as to that, the Court directed the parties to file a joint status report. (*Id.* at 39.) In the Second Joint Status Report, the parties reported their agreement on CSI's calculation of damages, interest, and costs under CSI's counterclaim for breach of contract, subject to the parties' reservation of rights with respect thereto. (ECF No. 102 at 1-4.) Specifically, the parties agreed that CSI's damages, interest, and costs under its counterclaim for breach of contract were as follows:

- (1) Damages: \$638,352.11
- (2) Pre-Judgment Interest: \$70,484.70 plus \$87.45 per day after March 1, 2016 to the date of judgment.¹
- (3) Post-Judgment Interest: Set at the rate of post-judgment interest as of the date of judgment as provided in 28 U.S.C. § 1961(a).
- (4) Costs \$6,443.50

Accordingly, in light of the Court's entry of summary judgment as to liability in favor of CSI, and the parties' agreement, subject to the parties' reservation of rights, as contained in the Second Joint Status Report, the Court ORDERS the Clerk to enter Judgment, pursuant to Fed.R.Civ.P. 58(a), as follows:

In favor of Defendant CSI Calendering, Inc. and against Plaintiff Obermeyer Hydro Accessories, Inc. in the amount of \$638,352.11 plus \$71,096.85 in pre-judgment interest plus \$6,443.50 in costs plus post-judgment interest as of March 9, 2016 in an amount calculated pursuant to 28 U.S.C. § 1961(a).

SO ORDERED.

DATED this 9th day of March, 2016.

BY THE COURT:



RAYMOND P. MOORE
United States District Judge

¹ Calculated in this fashion, additional pre-judgment interest totals: \$612.15, which is \$87.45 multiplied by seven (7) days (March 2nd up to March 9th). This results in total pre-judgment interest of \$71,096.85 (\$70,484.70 plus \$612.15).