

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 14-cv-00458-KLM

LEONARD MARTINEZ,  
DOUG PATRICK,  
SAMANTHA PATRICK,  
DEVIN QUINTANA,  
SCOTT ROSENBAUM,  
STEVEN ROSENBAUM,  
JOSEPH VIALPANDO,  
MICHAEL WOLFE,  
DENNIS GREGORY,  
FRANCISCO MEDINA, AND  
SCOTTIE LEE WRAY,

Plaintiffs,

v.

RED'S TOWING,

Defendant.

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**AMENDED JUDGMENT PURSUANT TO FED. R. CIV. P. 68**

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In accordance with the orders filed during the pendency of this case, and pursuant to Fed. R. Civ. P. 68, the following Judgment is hereby entered.

Pursuant to the Offer of Judgment served on Oct. 23, 2014 and the Acceptance thereof filed Nov. 4, 2014 (Docket No. 32) with proof of service, it is

ORDERED that judgment is hereby entered in favor of all Plaintiffs except Leonard Martinez and Michael Wolfe, for the following specified amounts relative to each defendant, as set forth in the Oct. 23, 2014 Offer of Judgment:

1. The sum of \$4,799.30 plus an equal amount as liquidated damages, for a total of \$9,598.60 to Plaintiff Doug Patrick;

2. The sum of \$4,187.73 an equal amount as liquidated damages, for a total of \$8,375.46 to Plaintiff Samantha Patrick;
3. The sum of \$1,179.73 plus an equal amount as liquidated damages, for a total of \$2,359.46 to Plaintiff Devin Quintana;
4. The sum of \$731.64 plus an equal amount as liquidated damages, for a total of \$1,463.28 to Plaintiff Scott Rosenbaum;
5. The sum of \$2,522.21 plus an equal amount as liquidated damages, for a total of \$5,044.42 to Plaintiff Steve Rosenbaum;
6. The sum of \$2,858.54 plus an equal amount as liquidated damages, for a total of \$5,717.08 to Plaintiff Joseph Vialpando;
7. The sum of \$1,511.28 plus an equal amount as liquidated damages, for a total of \$3,022.56 to Plaintiff Dennis Gregory;
8. The sum of \$3,893.62 plus an equal amount as liquidated damages, for a total of \$7,787.24 to Plaintiff Francisco Medina;
9. The sum of \$763.38 plus an equal amount as liquidated damages, for a total of \$1,526.76 to Plaintiff Scottie Lee Wray;
10. The sum of \$1,690.12 plus an equal amount as liquidated damages, for a total of \$3,380.24 to Plaintiff Jesse Mendoza;

SUCH AMOUNTS equaling \$51,834.90 in liquidated damages against Defendant Red's Towing. It is

FURTHER ORDERED that Defendant shall pay all costs incurred by the Plaintiffs up to and including the date of the offer. It is

FURTHER ORDERED that Defendant shall pay all reasonable and necessary attorney fees, as determined by the Court, incurred by Plaintiffs up to and including the date of the offer. It is

FURTHER ORDERED that, as Defendant's offer was tendered in exchange for the settlement of all Plaintiffs' claims against Defendant, and dismissal, with prejudice, of the above-captioned lawsuit, and as the offer was accepted by the aforementioned plaintiffs as listed in paragraphs 1 through 10 above, those Plaintiffs' claims are dismissed with prejudice against the Defendant. It is

FURTHER ORDERED that the Motion for Attorney's Fees #[63] and the Amended Motion for Attorney's Fees #[78] are GRANTED in part and DENIED in part. The Court concludes that Plaintiffs are entitled to an award of \$43,955.00 in attorneys' fees. It is

FURTHER ORDERED that the parties comply with D.C.COLO.LCivR 54.1 with respect to the award of costs in this action. It is

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

Dated at Denver, Colorado this 27th day of July, 2015.

FOR THE COURT:  
JEFFREY P. COLWELL, CLERK

By: s/ Edward P. Butler

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Edward P. Butler  
Deputy Clerk

