

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 17-62160-CIV-SELTZER
(CONSENT CASE)

CORNELIUS ROBERT CARUSO,

Plaintiff,

vs.

TITAN LIST AND MAILING
SERVICES, INC., and JOAN PIANTADOSI,

Defendants.

AMENDED ORDER

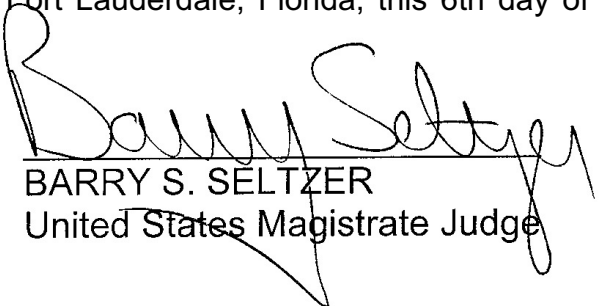
THIS CAUSE has come before the Court upon Plaintiff's Motion to Release Supersedeas Bond to Plaintiff [DE 153]. Plaintiff, Cornelius Robert Caruso, holds three Final Judgments against Defendants totaling \$176,574.19 [DE 89] [DE 108] and [DE 140], representing damages, liquidated damages, costs, and attorney's fees. On November 21, 2018, Defendant Titan List and Mailing Services, Inc., deposited a cash bond in the amount of \$194,231.61 into the Registry of the Court [DE 147] and the Court entered an Order [DE 158] staying garnishment pending appeal.

The Eleventh Circuit has issued a Mandate and Order of Dismissal of Defendant's Appeal for want of prosecution [DE 152]. Accordingly, the appeal is concluded and the Final Judgments entered in this case remain unsatisfied. Plaintiff requests that the Court direct release of a portion of the cash bond from the Registry of the Court in the amount of the three judgments plus post-judgment interest. No objection or response has been received from Defendants.

Although Plaintiff requests \$1,780.59 in post-judgment interest, the Court has calculated post-judgment interest on the three judgments to be \$1,525.84.¹ Accordingly, it is hereby

ORDERED AND ADJUDGED that the Motion to Release Supersedeas Bond to Plaintiff [DE 153] is **GRANTED**. The Clerk of the Court shall release to Plaintiff's attorneys, Kim Vaughan Lerner, LP, and Brian Lerner, Esq., the amount of One Hundred Seventy Nine Thousand, Eighty Nine Dollars and 03 Cents (\$178,100.03). This amount represents full satisfaction of the three Final Judgments (\$176,574.19), plus post-judgment interest in the amount of \$1,525.84. Upon receipt of the funds from the Registry of the Court, Plaintiff shall file and record Satisfactions of Judgment for each of the three Final Judgments. The Clerk of Court shall retain the balance of the cash deposit pending further order of the Court.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 6th day of February 2019.


BARRY S. SELTZER
United States Magistrate Judge

Copies furnished counsel via CM/ECF

¹ Post-judgment interest is “calculated from the date of the entry of the judgment, at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date of the judgment.” 28 U.S.C. § 1961(a). For the August 20, 2018 Final Judgment [DE 89] of \$66,286.34, the interest rate is 2.44% for 168 days, or \$744.44. For the October 1, 2018 Final Judgment [DE 108] of \$5,043.85, the interest rate is 2.59% for 126 days, or \$45.10. For the October 31, 2018 Final Judgment [DE 140] of \$105,244, the interest rate is 2.66% for 96 days, or \$736.30. These amounts are calculated through the date of the Court’s original Order, February 4, 2019. See www.utd.uscourts.gov/post-judgment-interest-rates.