

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

HELEN WILLIAMS, ET AL.

CIVIL ACTION

VERSUS

NO: 08-5040

UNITED STATES POSTAL SERVICE, ET AL.

SECTION: R

**ORDER**

Before the Court is the Government's Motion to Strike Demand for Prejudgment Interest. R. Doc. 18. The Government argues that any award of prejudgment interest in this case is foreclosed by the Federal Tort Claims Act. Plaintiffs' claims in this case arise under the FTCA, which provides the exclusive remedy "for damages for injury or loss of property resulting from the negligent or wrongful conduct of any employee of the Government while acting within the scope of his office or employment."

*McLaurin v. United States*, 392 F.3d 774, 777 (5th Cir. 2004); see also Compl., R. Doc. 1 at ¶ 7 (alleging that plaintiffs' injuries were caused by the negligence of a U.S. Postal Service employee who was "acting within the course and scope of her employment").

The FTCA states, in relevant part, that "[t]he United States shall be liable ... in the same manner and to the same extent as

a private individual under like circumstances, but shall not be liable for interest prior to judgment or for punitive damages." 28 U.S.C. § 2674. As the plain text of this provision makes clear, "[n]o prejudgment interest may be awarded in an FTCA case." *Lucas v. United States*, 807 F.2d 414, 423 (5th Cir. 1986). Plaintiffs have not filed any opposition to the Government's motion or otherwise explained why they might be entitled to prejudgment interest.

Accordingly,

The Government's motion is GRANTED.

New Orleans, Louisiana, this 14th day of May, 2009.



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SARAH S. VANCE  
UNITED STATES DISTRICT JUDGE