

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

CITY OF HOLLAND,)
MICHIGAN and HOLLAND)
BOARD OF PUBLIC WORKS,)
)
Plaintiffs,)
)
vs.)
)
FEDERAL INSURANCE COMPANY,)
)
Defendant.)
)

Civil Action No. 1:13-cv-01097
Honorable Paul L. Maloney
U.S. District Judge

JUDGMENT

WHEREAS, the City of Holland and the Holland Board of Public Works (together herein "Plaintiff") brought this action against Federal Insurance Company ("Defendant") (collectively, the "Parties") seeking a declaratory judgment and a judgment for certain dollar amounts it claimed as recoverable under an insurance policy issued by Defendant;

WHEREAS, the Plaintiff filed a Motion for Summary Judgment (docket #79);

WHEREAS, the Defendant filed a Motion for Summary Judgment (docket #82); and

WHEREAS, the Court, after receiving and reviewing the briefs and exhibits and after conducting a hearing on January 18, 2017, issued an Opinion and Order dated March 7, 2017 granting Plaintiff's Motion for Summary Judgment and denying Defendant's Motion for Summary Judgment (docket #94);

NOW, THEREFORE, for the reasons stated in the Court's Opinion and Order, it is hereby ORDERED AND DECREED as follows:

1. Judgment is entered in favor of Plaintiff and against Defendant:
 - a. in the amount of \$761,828.86 (the principal balance);
 - b. plus interest from November 1, 2012 through October 28, 2013 at the rate of 5% in the amount of \$25,182.11;
 - c. plus interest after October 28, 2013 through March 7, 2017 (the date of the Opinion and Order) pursuant to MCL 500.2006 at the rate of 12% in the amount of \$267,778.96;

for a total judgment amount of \$1,054,789.93.

2. Post-judgment interest shall accrue on the principal balance at the rate provided in 28 U.S.C. § 1961 from the date of this judgment until the date that this judgment is paid.

3. Defendant does not waive, and expressly reserves, its right to file a Notice of Appeal of the Court's March 7, 2017 Opinion and Order. The 30 days within which Defendant has the right to file a Notice of Appeal begins to run from the date of this Judgment.

4. Enforcement shall be as provided under the Federal Rules of Civil Procedure.

IT IS SO ORDERED:

/s/ Paul L. Maloney

HONORABLE PAUL L. MALONEY
UNITED STATES DISTRICT JUDGE

Dated this 3rd day of April, 2017.