

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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STATE FARM FIRE AND CASUALTY  
COMPANY, as subrogee of SUZANNE AGURKIS,

Plaintiffs,

- against -

ADVANCED CHIMNEY, INC.,

Defendant.  
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**JUDGMENT**

CV-13-4608 (ADS)(AKT)

An Order of Honorable Arthur D. Spatt, United States District Judge, having been filed on September 8, 2014, adopting in its entirety the August 11, 2014 Report and Recommendation of Magistrate Judge A. Kathleen Tomlinson, granting Plaintiffs' motion for an award of damages against the Defendant in the amount of \$173,845.55 in damages for losses incurred, pre-judgment interest to be calculated separately for each of Plaintiff's nineteen payments from the date on which payment was made through the date of entry of judgment at the rate of 9% per annum, post-judgment interest on its monetary award, to be calculated pursuant to 28 U.S.C. § 1961, and directing the Clerk of Court to enter judgment accordingly and to close this case, it is

**ORDERED AND ADJUDGED** that Plaintiffs' motion for an award of damages against the Defendant is granted in the amount of \$173,845.55 in damages for losses incurred, pre-judgment interest to be calculated separately for each of Plaintiff's nineteen payments from the date on which payment was made through the date of entry of judgment at the rate of 9% per annum, and post-judgment interest on its monetary award, to be calculated pursuant to 28 U.S.C. § 1961; and that this case is hereby closed.

Dated: Central Islip, New York  
September 11, 2014

DOUGLAS C. PALMER  
CLERK OF THE COURT

By: /s/ Catherine Vukovich  
Deputy Clerk