

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

JUDGMENT IN A CIVIL CASE

Utica Mutual Insurance Company

Plaintiff(s)

vs.

CASE NUMBER: 6:09-cv-853 (DNH/TWD)

Fireman's Fund Insurance Company

Defendant(s)

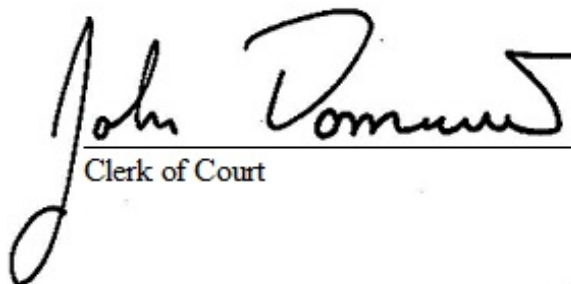
Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: Pursuant to the Mandate issued by the United States Court of Appeals for the Second Circuit on July 17, 2020, it is hereby ORDERED that

1. The December 13, 2017 jury verdict in favor of plaintiff Utica Mutual Insurance Company, ECF No. 440, and corresponding December 15, 2017 judgment, ECF No. 436, in favor of plaintiff Utica Mutual Insurance Company and against defendant Fireman's Fund Insurance Company in the amount of thirty-five million dollars (\$35,000,000.00), with interest calculated from September 22, 2008, at the statutory rate of 9% (NY Civ. Prac. L. & R. §§ 5003, 5004) for a total of twenty-nine million, ninety-two thousand, one hundred and ninety-one dollars and seventy-eight cents (\$29,092,191.78), for a total judgment amount of sixty-four million, ninety-two thousand, one hundred and ninety-one dollars and seventy-eight cents (\$64,092,191.78) is VACATED.

All of the above pursuant to the order of the Honorable Judge David N. Hurd, dated the 21st day of July, 2020.

DATED: July 21, 2020


Clerk of Court

s/Kathy Rogers

Deputy Clerk