

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAISTONE PURCHASING LLC-SERIES
XXXVII,

Plaintiff,

- against -

COMERCIALIZADORA DE PAPELES Y
CARTONES SURPAPEL S.A.,
Defendant.

22-cv-10221 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

The Court's Memorandum Opinion and Order dated February 3, 2025, granted the plaintiff's motion for summary judgment and directed the plaintiff to provide the Court with a calculation of prejudgment interest. ECF No. 44. The Court also determined that the plaintiff was entitled to attorney's fees and costs and directed the parties to submit either a stipulation of attorney's fees or a proposed briefing schedule for the determination of attorney's fees. Id. The plaintiff submitted a calculation of interest and informed the Court that it would forego its claim for attorney's fees and costs to expedite the entry of a final judgment in the case. ECF No. 45. The defendant responded, contesting the 10% or 11% Discount Rate applied to each of the Outstanding Receivables as well as the expected due dates of the Outstanding Receivables. ECF No. 47.

However, as the plaintiff notes in its reply letter, the defendant conceded that the plaintiff's calculation of interest

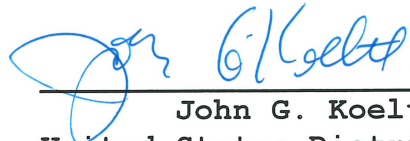
was correct when it responded to the plaintiff's Rule 56.1 Statement in connection with the plaintiff's motion for summary judgment. See ECF No. 50. In particular, the defendant agreed to the plaintiff's principal and interest calculations through July 30, 2024. ECF No. 39 at ¶ 83. The plaintiff now uses the same methodology to update the interest calculation through March 5, 2025. Accordingly, the defendant has provided no basis to contest the March 5, 2025 interest calculation. Moreover, in the defendant's response to the plaintiff's Rule 56.1 Statement, the defendant also did not contest that "[t]he Discount Rate for the Outstanding Receivables is either 10% or 11% per annum, depending on the specific Outstanding Receivable at issue." ECF No. 39 at ¶ 80. Finally, the defendant did not contest the expected due date for each receivable. ECF No. 39 at ¶ 81. Accordingly, the plaintiff has established that its calculation of interest is correct.

Therefore, for the reasons stated in the Court's February 3, 2025 Memorandum Opinion and Order, the Clerk is directed to enter judgment in favor of Raistone and against Comercializadora in the amount of \$13,317,490.14 plus interest in the amount of \$5,200,716.53 through March 5, 2025, together with interest of \$3,791.89 for each day up to the date that the Clerk enters judgment in favor of Raistone.

The Clerk is also directed to close all pending motions and to close this case.

SO ORDERED.

Dated: New York, New York
March 10, 2025



John G. Koeltl
United States District Judge