


Westchester has filed an objection to Plaintiffs' Motion for Award of Pre-Judgment Interest, arguing only that the date of commencement of pre-judgment interest should be when IMG obtained \$1 million from its primary insurer Great Divide on September 23, 2010, and not on June 15, 2010, the date of IMG's payment of the Gastaldi settlement. Westchester agrees that other than the commencement date of the award, Plaintiffs' calculation of the interest due (using the correct rates of interest under Ohio law and correct methodology using simple not compound interest) is correct.

Under the terms of the Jury's Verdict and the policy at issue in this action, the trigger date for pre-judgment interest is clearly June 15, 2010, the date of the Gastaldi settlement. Accordingly, Plaintiffs' calculation of pre-judgment interest is correct in all respects. As such, Plaintiffs' Motion for an Award of Pre-Judgment Interest (ECF #117) is GRANTED and pre-judgment interest shall be awarded in the amount of \$412,224.69, as will be set forth in the Final Judgment issued contemporaneously with this Order.

IT IS SO ORDERED.



DONALD C. NUGENT
UNITED STATES DISTRICT JUDGE

DATED: June 17, 2013