

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL MCKENNA,	:	CIVIL ACTION
WILLIAM MCKENNA, and	:	
RAYMOND CARNATION	:	
	:	
v.	:	
	:	
CITY OF PHILADELPHIA	:	NOS. 98-5835, 99-1163

ORDER

AND NOW, this 24th day of July, 2009, upon consideration of those portions of the plaintiffs' Petitions for Attorneys' Fees (Docket No. 228 in Case No. 98-5835, Docket No. 243 in Case No. 99-1163, and Docket No. 246 in Case No. 99-1163), which seek the award of pre-judgment interest, post-judgment interest, and delay damages, and upon consideration of the defendant's response thereto (Docket No. 245 in Case No. 98-5835, Docket No. 265 in Case No. 99-1163), IT IS HEREBY ORDERED, for the reasons set forth in a Memorandum of today's date, that those portions of the Petitions are GRANTED IN PART and DENIED IN PART, as follows:

1. The plaintiffs' request for delay damages is DENIED.
2. The plaintiffs' request for post-judgment interest is DENIED to the extent that the plaintiffs are requesting such interest for the period from the May 14, 2008, jury verdict in this case to the present and DENIED WITHOUT PREJUDICE as premature to the extent that the plaintiffs are requesting such

interest for the future period between the entry of judgment and the satisfaction of that judgment.

3. The plaintiffs' request for pre-judgment interest is DENIED IN PART and GRANTED IN PART. The plaintiffs' request is DENIED to the extent that the plaintiffs seek pre-judgment interest on their award of non-pecuniary compensatory damages, as awarded by jury verdict and modified by Title VII's statutory cap. The plaintiffs' request is GRANTED to the extent that the plaintiffs seek pre-judgment interest on the award of back pay to Raymond Carnation. Plaintiff Raymond Carnation will be awarded pre-judgment interest on his award of back pay in the amount of \$46,560.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.