

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

|   |   |               |
|---|---|---------------|
| MERRILL LYNCH, PIERCE, FENNER<br>& SMITH INC. | : |               |
|   | : |               |
| v.  | : | MISCELLANEOUS |
|   | : |               |
| JAMES A. MILNES                               | : | NO. 11-260    |
|   | : |               |

**ORDER**

**AND NOW**, this 8<sup>th</sup> day of April, 2014, upon consideration of Petitioner's Petition to Confirm Arbitration Award and for Entry of Final Judgment (ECF No. 1) and Respondent's Cross Motion to Vacate Application/Petition (ECF No. 4), and all papers submitted in support thereof and in opposition thereto, it is **ORDERED** as follows:

1. Respondent's Cross Motion to Vacate Application/Petition is **DENIED**.
2. Petitioner's Petition to Confirm Arbitration Award and for Entry of Final Judgment is **GRANTED**.
3. Judgment is entered in favor of Merrill Lynch, Pierce, Fenner & Smith Inc. and against James A. Milnes as follows:

|                      |                     |
|----------------------|---------------------|
| Compensatory Damages | \$134,204.50        |
| Interest             | \$ 18,018.72        |
| Attorneys' Fees      | <u>\$ 81,758.21</u> |
| Total Judgment       | \$233,981.43        |

4. Respondent shall pay interest on the award at the rate of six percent from the date of the Panel's award until the entry of judgment in this case and then at the rate established by 28 U.S.C. § 1961.

5. Respondent shall pay all attorneys' fees and costs incurred by Petitioner in opposing Respondent's Cross Motion to Vacate Application/Petition.
6. Petitioner shall submit an itemized list of attorneys' fees and costs for review within 10 days of this Order.

**IT IS SO ORDERED.**

**BY THE COURT:**

A handwritten signature in black ink, appearing to read 'R. Surrick', is written over a faint, illegible printed name.

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**R. BARCLAY SURRICK, J.**