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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

EKO BRANDS, LLC,

Plaintiff,

v.

ADRIAN RIVERA MAYNEZ  
ENTERPRISES, INC., and ADRIAN  
RIVERA, an individual,

Defendants.

Case No. C15-522-JPD

ORDER AWARDING PREJUDGMENT  
INTEREST ON PRIOR ATTORNEY'S  
FEES ORDER

On February 2, 2018, the Honorable Robert S. Lasnik ordered defendants to pay attorney's fees in the amount of \$66,087.76. Dkt. 182. Defendants neither paid the attorney's fees nor posted a bond, but instead, filed an appeal to the Court of Appeals for the Federal Circuit, which promptly dismissed the appeal. Dkt. 250. Thus, the attorney's fee award remains.

The Court asked the parties to advise it as to the amount of interest due on the prior attorney's fee award. However, neither party's response was correct. Dkt. 245 at 2; Dkt. 248 at 30-31.


1           “A trial court may award prejudgment interest if the amount claimed is liquidated.”  
2 *Spradlin Rock Products, Inc. v. Public Utility Dist. No. 1 of Grays Harbor County*, 164 Wash.  
3 App. 641, 665, 266 P.3d 229 (2011). A claim is liquidated where there is evidence that “makes  
4 it possible to compute the amount with exactness, without reliance on opinion or discretion.”  
5 *Id.* Washington law provides a statutory prejudgment interest rate of twelve percent (12%) per  
6 annum, where no different rate is provided by contract between the parties. RCW 19.52.010.  
7 Twelve percent per annum is the maximum interest rate allowed under Washington law. RCW  
8 19.52.020.  
9

10           In this case, Judge Lasnik’s Order granting plaintiff an award of attorney’s fees  
11 liquidated the amount due, therefore entitling plaintiff to an award of prejudgment interest on  
12 the \$66,087.76 fee award at the rate of 12% from the February 2, 2018 date of Judge Lasnik’s  
13 Order until either paid by defendants or judgment is entered on this sum. As judgment will be  
14 entered in this case on June 14, 2018, the amount will bear interest at the federal judgment rate  
15 set by statute from June 14, 2018 forward. *See* 28 U.S.C. § 1961.  
16

17           Plaintiff has filed post-trial motions for injunctive relief, a determination of the date by  
18 which interest will run, attorney’s fees, enhanced damages and judgment notwithstanding the  
19 verdict on the issue of willfulness. Dkts. 247-48. Those issues will be decided after entry of  
20 the judgment, as noted on the calendar, and after defendants have had a chance to respond.  
21 However, for the purposes of determining the unpaid amount of attorney’s fees due to plaintiff  
22 for purposes of the judgment on Judge Lasnik’s Order, the amount is \$66,087.76, plus interest  
23 at the statutory amount of 12% per annum for 132 days (\$2,868.03), or a total of **\$68,955.79**.  
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1 The Clerk is directed to send a copy of this Order to counsel for both parties.

2 DATED this 14th day of June, 2018.

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6 JAMES P. DONOHUE  
7 United States Magistrate Judge  
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