

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
RELIASTAR LIFE INSURANCE COMPANY OF
NEW YORK,

Petitioner,

-against-

EMC NATIONAL LIFE INSURANCE COMPANY,
Respondent.
-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/14/07

06 CIVIL 10186(LAK)

JUDGMENT

#07,0277

RLNY having moved for confirmation of awards while NTL having moved to vacate so much of the award as granted attorneys fees and costs to RLNY arbitration, and the matter having been brought before the Honorable Lewis A. Kaplan, United States District Judge, and the Court, on February 13, 2007, having issued its Memorandum and Order granting the cross-petition to vacate so much of the final award, dated October 20, 2006, as awarded RLNY \$3,169,496 in attorney and arbitrator fees and \$691,903.75 in costs, plus interest, to the extent that the award of attorney and arbitrator fees and interest thereon is vacated and otherwise denied, granting the petition to confirm the award to the extent the award, as modified above, is hereby confirmed, and entitling petitioner to judgment for \$691,903.75 together with interest thereon as set forth in the award, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Memorandum and Order dated February 13, 2007, the cross-petition to vacate so much of the final award, dated October 20, 2006, as awarded RLNY \$3,169,496 in attorney and arbitrator fees and \$691,903.75 in costs, plus interest, is granted to the extent that the award of attorney and arbitrator fees and interest thereon is vacated and otherwise denied; the petition to confirm the award

is granted to the extent that the award, as modified above, is hereby confirmed; and petitioner is entitled to judgment for \$691,903.75 together with interest thereon as set forth in the award; accordingly, the case is closed.

Dated: New York, New York
February 14, 2007

J. MICHAEL MCMAHON

Clerk of Court

BY:



Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**