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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

UTICA MUTUAL INSURANCE COMPANY,  
Plaintiff,

Civil Action No.:  
6:09-CV-0853 DNH

v.

FIREMAN'S FUND INSURANCE COMPANY  
Defendants,

X **JURY VERDICT.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

       **DECISION BY COURT.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**Pursuant to the Jury Verdict returned in open court before the Hon David N. Hurd, USDJ, on December 13, 2017 at the trial of this action in United States District Court for the Northern District of New York in Utica , NY,**

**IT IS ORDERED AND ADJUDGED:** That judgment is entered in favor of plaintiff Utica Mutual Insurance Company and against Fireman's Fund Insurance Company in the amount of thirty-five million dollars (\$35,000,000.00), with interest calculated from September 22, 2008, at the statutory rate of 9% (NY Civ. Prac. L. & R. §§5003, 5004) for a total of twenty-nine million, ninety-two thousand, one hundred and ninety-one dollars and seventy-eight cents (\$29,092,191.78), for a total judgment amount of sixty-four million, ninety-two thousand, one hundred and ninety-one dollars and seventy-eight cents (\$64,092,191.78).

Date: December 15, 2017

  
Clerk of Court

ENTERED 12/15/2017  
BY PTM

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Phillip T. McBrearty  
Deputy Clerk