

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

William J. Schumacher, on behalf of himself	:	Case No. 1:09-cv-794
and all persons similarly situated,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
AK Steel Corporation Retirement	:	
Accumulation Pension Plan, et al,	:	
	:	
Defendants.	:	

FINAL JUDGMENT

On January 24, 2011, the Court entered an order granting Plaintiffs' motion for class certification. (Doc. 60) On June 27, 2011, the Court granted Plaintiffs' motion for partial summary judgment (Doc. 87), and entered a final judgment in favor of Plaintiffs on December 12, 2011. (Doc. 130) Plaintiffs were awarded damages of \$3,010,060, along with pre-judgment interest at the then-applicable statutory rate in the amount of \$29,094.

The Sixth Circuit Court of Appeals affirmed this Court's judgment on the merits, but vacated and remanded the judgment with respect to the amount of pre-judgment interest. After further consideration of that issue, this Court entered an order on July 29, 2013 setting forth the formula for calculating pre-judgment interest, and ordering the parties to file a revised class roster under seal showing the correct amount of damages plus pre-judgment interest due to each class member. (Doc. 173) The parties timely filed that class roster, which establishes the total amount due to each class member under the Court's orders. Pursuant to that roster, the total amount of damages plus

pre-judgment interest to be awarded to the Class members is \$4,422,924.24.

The Court is required to award a prevailing plaintiff post-judgment interest, at the rate defined by 28 U.S.C. §1961(a), on the total judgment inclusive of pre-judgment interest. Caffey v. UNUM Life Ins. Co., 302 F.3d 576, 585 (6th Cir. 2002). Post-judgment interest accrues from the date of entry of this Judgment at the weekly average one year constant maturity Treasury yield, pursuant to 28 U.S.C. §1961(a), using the rate from the week preceding the entry of judgment. That rate for the week ending August 23, 2013, according to the Federal Reserve's website, is 0.14%.¹

Therefore, the Court awards Plaintiffs \$4,422,924.24 in damages and pre-judgment interest. Post-judgment interest shall accrue on the total amount of the judgment at the rate of 0.14% per annum until paid in full by Defendants. Pursuant to Rule 54(d)(1) of the Federal Rules of Civil Procedure, Defendants shall pay the court costs of this litigation.

IT IS SO ORDERED.

DATED: August 27, 2013

s/Sandra S. Beckwith
Sandra S. Beckwith, Senior Judge
United States District Court

¹ <http://www.federalreserve.gov/releases/h15/current/> accessed on August 26, 2013.

