

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

ASSOCIATION OF WOMEN WITH
DISABILITIES ADVOCATING ACCESS
SUING ON BEHALF OF DELORES
JACKSON AND ITS MEMBERS; and
DELORES JACKSON,

Plaintiff,

vs.

MARCOS MOUET d.b.a. RANCHOS
MERCADOS, LTD; DOUGLAS ELLEENE
C. DOUGLAS REVOCABLE TRUST,

Defendants.

CASE NO. 06cv2240 JM(LSP)

ORDER GRANTING MOTION FOR
ENTRY OF PARTIAL JUDGMENT

Defendant Marcos Mouet, d.b.a. Ranchos Mercados, Ltd., (“Mouet”) moves for entry of partial judgment pursuant to Fed.R.Civ.P. 54(b). Plaintiffs do not oppose entry of partial judgment but do oppose Mouet’s request for imposition of post-judgment interest at the rate of 8% from the date of entry of this judgment.

The court grants the motion for entry of partial judgment. Rule 54(b) permits entry of final judgment against some, but not all parties if the court certifies “that there is no just cause for delay” and expressly directs entry of judgment. Fed.R.Civ.P. 54(b). Here, there is no just cause to delay entry of judgment against Mouet because all issues against Mouet have been resolved, the dismissal of this defendant will not affect the


1 course of litigation against the remaining defendants, and entry of partial judgment will
2 promote the speedy resolution of the case against Mouet.

3 As to the inclusion of interest, 28 U.S.C. §1961(a) provides that “[i]nterest shall
4 be allowed on any money judgment in a civil case. . . .” Accordingly, the court grants
5 post-judgment interest at the rate provided for by 28 U.S.C. §1961.

6 In sum, the court grants the motion for entry of partial judgment. The Clerk of
7 Court is instructed to enter judgment in favor of Mouet and against Plaintiffs. The
8 judgment shall also provide that “Defendant Mouet shall recover from the law firm of
9 Pinnock and Wakefield LLC his costs in the action in the amount of \$15,213, plus
10 interest at the legal rate provided for by 28 U.S.C. §1961, calculated from the date of
11 entry of partial judgment.”

12 **IT IS SO ORDERED.**

13 DATED: May 18, 2007

14 
15 Hon. Jeffrey T. Miller
16 United States District Judge

17 cc: All parties
18
19
20
21
22
23
24
25
26
27
28