

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
WHEELING DIVISION**

**WESTFIELD INSURANCE COMPANY,** )  
 )  
 **Plaintiff,** )

v. )

**Case No.: 5:18-cv-00100-JPB**

**SISTERSVILLE TANK WORKS, INC.,** )  
 **ROBERT N. EDWARDS, DEBORAH S.** )  
 **EDWARDS, E. JANE PRICE, Individually** )  
 **and as Executrix of the Estate of Robert** )  
 **G. Price, deceased, GARY THOMAS SANDY,** )  
 **PEGGY P. SANDY, DOUGLAS L. STEELE,** )  
 **and CAROL STEELE,** )  
 )  
 **Defendants,** )

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**SISTERSVILLE TANK WORKS, INC.,** )  
 )  
 **Defendant,** )  
 **Counterclaim Plaintiff,** )  
 **and Third-Party Plaintiff,** )

v. )

**REAGLE & PADDEN, INC., and** )  
 **DAVID C. PADDEN,** )  
 )  
 **Third-Party Defendants.** )

**FINAL ORDER OF DISPOSITION AWARDING ATTORNEYS' FEES  
AND EXPENSES WITH INTEREST TO DEFENDANT/THIRD-PARTY  
PLAINTIFF SISTERSVILLE TANK WORKS, INC.**

On May 16, 2024, the Court entered its Order Granting Motion for Award of Attorneys' Fees and Expenses [Doc. 352], awarding Defendant/Third-Party Plaintiff Sistersville Tank Works, Inc. ("STW") its attorneys' fees and expenses in full in the amount of \$832,473.18 plus interest against Plaintiff Westfield Insurance Company. Further, the Court directed STW to submit a

proposed final order of disposition reflecting the award, with a specific calculation of all associated interest. Following the submission by STW [Doc. 353] and the objections submitted by Westfield [Doc. 354], the Court entered an Order [Doc. 355] requesting that an additional proposed final order of disposition be submitted by the parties. Having considered the submission by STW, the Court hereby ORDERS:

1. Westfield shall pay to STW \$832,473.18 in attorneys' fees and expenses. [Doc. 352].

2. Westfield shall pay to STW the associated interest in the amount of \$226,512.45. The specific calculation of simple interest is based upon the West Virginia Statutory Rate at the time of the accrual of this matter, i.e., June 13, 2018, of 4.5%, and continuing through June 30, 2024.<sup>1</sup>

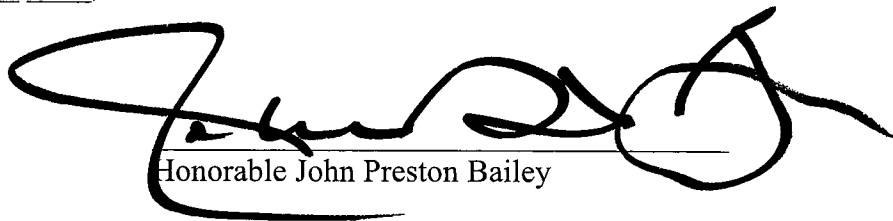
The award of attorneys' fees and expenses and the interest thereupon shall be paid by July 1, 2024, in the total amount of \$1,058,985.63.

The exceptions and objections of any aggrieved party are noted and preserved.

Finally, this matter is hereby ORDERED STRICKEN from the active docket of this Court.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

DATED: June 17, 2024.



Honorable John Preston Bailey

<sup>1</sup> Pursuant to this calculation, the annual interest is \$37,461.29 (4.5% multiplied by \$832,473.18) and the daily interest is \$102.63 (\$37,461.29 divided by 365 days). At the time payment is due pursuant to this Order, the applicable interest period is six (6) years and seventeen (17) days.

Prepared by:

/s/ Patrick S. Casey

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Agreed by:

/s/ Brent K. Kesner (per email authority)

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