## UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

IN RE: ROUNDUP PRODUCTS LIABILITY LITGATION	MDL No. 2741 Case No. 16-md-02741-VC
This document relates to: <i>Hardeman v. Monsanto</i> , 3:16-cv-00525-VC	PRETRIAL ORDER NO. 144: ORDER REGARDING OBJECTIONS TO FORM OF JUDGMENT
	Dkt. Nos. 3272, 3350

Monsanto is correct that it is unnecessary and potentially confusing to include language about appealability. However, the Court declines to exercise its discretion to grant Monsanto's request for a stay of enforcement pending appeal. *See Max Sound Corp. v. Google LLC*, No. 5:14-cv-04412-EJD, 2019 WL 480544, at \*1-2 (N.D. Cal. Feb. 7, 2019) (quoting *Dillon v. City of Chicago*, 866 F.2d 902, 904-05 (7th Cir. 1988)). Finally, although Monsanto did not raise it, the post-judgment interest rate contained in the proposed judgment is legally incorrect. *See AT&T Co. v. United Comp. Sys., Inc.*, 98 F.3d 1206, 1209 (9th Cir. 1996) ("In diversity actions, state law determines the rate of prejudgment interest, and postjudgment interest is governed by federal law."); *see also Fid. Fed. Bank, FSB v. Durga Ma Corp.*, 387 F.3d 1021, 1023-24 (9th Cir. 2004). The federal interest rate applies to this judgment. *See* 28 U.S.C. § 1961.

The Court will enter judgment in accordance with this order.

## IT IS SO ORDERED.

Date: May 3, 2019

Honorable Vince Chhabria United States District Court