

IN THE UNITED STATES COURT OF FEDERAL CLAIMS  
No. 03-2383 T

(Filed: April 20, 2005)

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AMERICA ONLINE, INC., )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
THE UNITED STATES, )  
 )  
Defendant. )

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ORDER FOR ENTRY OF FINAL JUDGMENT

In this federal communications excise tax case, on March 30, 2005, this court entered a decision granting the plaintiff's motion for partial summary judgment and denying the defendant's cross-motion for summary judgment. *America Online, Inc. v. United States*, 2005 WL 741847 (Mar. 30, 2004). At the plaintiff's request, the court did not rule on the amount of the overpayment of taxes, and it gave the parties a reasonable period of time to address that amount and potentially to stipulate to it. Thereafter, on April 18, 2005, the parties filed a Status Report and Stipulation, in which they stipulate that the amount of plaintiff's overpayment of federal excise tax for the first quarter of 1999 equaled \$192,574. The only taxes at issue in this case are those for the first quarter of 1999. Accordingly, in light of the court's decision of March 30, 2005, and the parties' stipulation, the clerk shall enter judgment against the United States in the amount of \$192,574, plus interest as provided by law until plaintiff receives payment from the United States.

It is so ORDERED.

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Charles F. Lettow  
Judge