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16	POM WONDERFUL LLC UNITED STATES CENTRAL DISTRIC	DISTRICT COURT CT OF CALIFORNIA
16 17	POM WONDERFUL LLC UNITED STATES	DISTRICT COURT CT OF CALIFORNIA Case No. CV-08-06237 SJO (FMOx)
16 17 18	POM WONDERFUL LLC UNITED STATES CENTRAL DISTRICE POM WONDERFUL LLC, a Delaware	DISTRICT COURT CT OF CALIFORNIA Case No. CV-08-06237 SJO (FMOx) FINAL JUDGMENT
16 17 18 19	POM WONDERFUL LLC UNITED STATES CENTRAL DISTRICATION OF THE POM WONDERFUL LLC, a Delaware limited liability company,	DISTRICT COURT CT OF CALIFORNIA Case No. CV-08-06237 SJO (FMOx)
16 17 18 19 20	POM WONDERFUL LLC UNITED STATES CENTRAL DISTRICE POM WONDERFUL LLC, a Delaware limited liability company, Plaintiff, v. THE COCA COLA COMPANY, a	DISTRICT COURT CT OF CALIFORNIA Case No. CV-08-06237 SJO (FMOx) FINAL JUDGMENT
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1	WHEREAS:	
2	The Court has reviewed the Amended [Proposed] Pretrial Conference Order	
3	("PTCO") filed by Plaintiff Pom Wonderful LLC ("Plaintiff") and Defendant The	
4	Coca-Cola Company ("Defendant");	
5	The Court has issued its Order Granting In Part, Denying In Part Defendant's	
6	Motion For Summary Judgment Pursuant To Fed. R. Civ. P. 56; Denying Plaintiff's	
7	Motion For Partial Summary Adjudication Re: Defendant's Affirmative Defenses	
8	Of Safe Harbor And Compliance with Laws, entered on May 5, 2010 [Docket No.	
9	360] (the "MSJ Order");	
10	The MSJ Order dismissed Plaintiff's state law claims. The MSJ Order also	
11	"precluded [Plaintiff] from pursuing its Lanham Act claim against the naming and	
12	labeling on the Juice's bottle," MSJ Order at 33, and "precluded [Plaintiff] from	
13	pursuing its Lanham Act claim against the Fruit Vignette." <i>Id.</i> at 36. The MSJ	
14	Order did not preclude Plaintiff from pursuing its Lanham Act claim in other	
15	respects;	
16	Plaintiff stipulates that, in light of the Court's MSJ Order, it cannot now carry	
17	its burden with respect to its Lanham Act claim and that, accordingly, the Court	
18	should dismiss with prejudice the remaining portion of Plaintiff's Lanham Act claim	
19	and enter Final Judgment for Defendant in this action with respect to all claims;	
20	Plaintiff has expressly reserved its right to appeal this Final Judgment and the	
21	Court's prior orders in this matter including, but not limited to, the MSJ Order;	
22	IT IS ORDERED AND ADJUDGED THAT final judgment is hereby	
23	entered in favor of Defendant The Coca-Cola Company.	
24		
25	Dated: May 24, 2010	
26	S. Jame Otens	
27	By:	
28	United States District Judge	

1	Respectfully submitted by:
2	ROLL LAW GROUP P.C.
3	Bv: /s/ Daniel S. Silverman
4	By: /s/ Daniel S. Silverman Daniel S. Silverman Attorneys for Plaintiff POM WONDERFUL LLC
5	POM WONDERFUL LLC
6 7	PATTERSON BELKNAP WEBB & TYLER LLP
8	By: /s/ Steven A. Zalesin
9	Steven A. Zalesin Attorneys for Defendant THE COCA-COLA COMPANY
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