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

STERIL-AIRE, INC., a Nevada corporation,

Plaintiff,

vs.

DUST FREE, LP, a Texas Limited Partnership; and BURNETT ENVIRONMENTAL INDUSTRIES, LLC, a Texas Limited Liability Company,

Defendants.

) CASE NO. CV 08-7845 CJC (ANx)
) **FINAL JUDGMENT**
) Judge: Hon. Cormac J. Carney

Related Counterclaims

1 Pursuant to and for the reasons stated in this Court’s Order dated October 16,
2 2013 (Dkt. 132), in which the Court granted in part and denied in part the parties’ cross
3 motions for summary judgment, the Court hereby enters final judgment in this matter as
4 follows:

5 1. Judgment is hereby entered in favor of Plaintiff Steril-Aire, Inc. (“Steril-
6 Aire”) on its first cause of action for declaratory judgment.

7 2. Steril-Aire’s second cause of action for breach of contract is dismissed
8 with prejudice.

9 3. Steril-Aire’s third cause of action for fraud is dismissed with prejudice.

10 As to the counterclaims of Defendants Dust Free, LP and Burnett Environmental
11 Industries, LLC (“Defendants”), the Court hereby enters final judgment in this matter as
12 follows:

13 1. Defendants’ first cause of action for breach of the settlement agreement is
14 dismissed with prejudice.

15 2. Defendants’ second cause of action for declaratory judgment on the
16 amendment to the cross-license agreement is dismissed with prejudice.

17 3. Defendants’ third cause of action for promissory estoppel is dismissed with
18 prejudice.

19 4. Defendants’ fourth cause of action for tortious interference with contract
20 and with business relations is dismissed with prejudice.

21 5. Defendants’ fifth cause of action for breach of the cross-license agreement
22 is dismissed with prejudice.

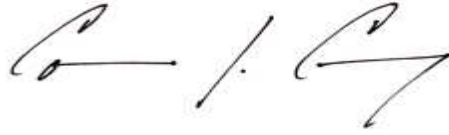
23 **IT IS ORDERED, ADJUDGED AND DECREED** that:

24 1. Judgment is granted in favor of Plaintiff Steril-Aire and against
25 Defendants, for the reasons stated above and for the reasons set forth in the Court’s
26 Order dated October 16, 2013.

27 2. Steril-Aire is the prevailing party. Costs are to be awarded to Steril-Aire
28 by application to the Clerk of the Court.

1 3. Any request by Steril-Aire for attorneys' fees shall be separately
2 considered upon a properly noticed motion, pursuant to FRCP 54, to be filed no later
3 than 14 days after the entry of this Final Judgment.

4 4. The clerk is ordered to enter this Final Judgment immediately.



7 Dated: 11/1/13

Hon. Cormac J. Carney
United States District Court
Central District of California

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