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Attorneys for Counter-Defendant,

WATER, INC.

THE UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES

WATER, INC., a California corporation,)

Plaintiff,

vs.

EVERPURE, INC.; EVERPURE, LLC;)

PENTAIR RESIDENTIAL)

FILTRATION, LLC.; PENTAIR, INC.;)

PURCELL MURRAY COMPANY,)

INC; GERARD McKEOWN; MIKE)

MADSEN; DEBRA BARTON; and)

DOES 1 to 10, inclusive,)

Defendant(s)

EVERPURE, LLC; PENTAIR)

RESIDENTIAL FILTRATION, LLC.)

Counterclaimants,

vs.

WATER, INC., a California Corporation)

Counter-Defendant.

CASE NO.: CV 09-03389 ABC (SSx)

[PROPOSED] FINAL JUDGMENT

Having considered the Motions for Summary Judgment and Judgment on the Pleadings filed by the Defendants Everpure, Inc., Everpure, LLC; Pentair Residential Filtration, LLC, Pentair, Inc., Gerard McKeown, Mike Madsen and Debra Barton (“Everpure Defendants”)[Dkt. No. 167] and Purcell Murray Company, Inc. (“Purcell Murray”) [Dkt. No. 175] (all defendants collectively referenced as “Defendants”), and having considered the Parties’ briefing, evidentiary objections, and other submissions relating to those motions, as well as oral argument presented by counsel at the December 19, 2011 hearing on the motions, the Court has reached the following decision, the grounds for which are fully set forth in the December 20, 2011 Order Granting Defendants’ Motion for Summary Judgment and Judgment on the Pleadings [Dkt. No. 242]:

It is ordered that summary judgment is granted in Defendants’ favor, that Plaintiff Water (“Water”) recover nothing, and that all of its claims against Defendants be dismissed on the merits.

In addition, having considered the Motion for Summary Judgment and Judgment on the Pleadings filed by Counter-Defendant Water, Inc. [Dkt. No. 259], and having considered the parties’ briefing, evidentiary objections, and other submissions relating to those motions, the Court has reached the following decision,

the grounds for which are fully set forth in the August 2, 2012 Order Granting Water's Motion for Summary Judgment and Denying Plaintiff's Motion to Strike [Dkt. No. 293]:

It is ordered that summary judgment is granted in Water's favor, that Counterclaimants Everpure LLC and Pentair Residential Filtration, LLC recover nothing, and that all of their claims against Water be dismissed on the merits.

Each party shall bear their own costs incurred in this action.

This judgment is final as there remain no other pending claims.

IT IS HEREBY ORDERED.

Dated: August 17, 2012

BY THE COURT:



Hon. Audrey B. Collins, District Court Judge