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JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

THE BURLINGTON INSURANCE COMPANY,  
Plaintiff,  
vs.  
CHWC, INC. dba CRAZY HORSE RESTAURANT; JOHN NUCCIO; and AURELIO CRUZ, JR.,  
Defendants.  
AND RELATED COUNTERCLAIM.

No. CV10-8977 R (FFMx)

JUDGMENT

The Court having entered an Order Granting Summary Judgment in favor of plaintiff The Burlington Insurance Company on September 12, 2011.

IT IS ORDERED, ADJUDGED AND DECREED that JUDGMENT is HEREBY entered in favor of Plaintiff and Counterdefendant The Burlington Insurance Company and against Defendants and Counterclaimants CHWC, Inc. dba Crazy Horse Restaurant ("Crazy Horse"), John Nuccio and Aurelio Cruz, Jr., as follows:

1           1.       The Assault or Battery exclusion in Burlington policy number  
2 181BW09888 between Burlington and Crazy Horse bars all coverage and all  
3 potential coverage for the claims alleged in the lawsuit in the California Superior  
4 Court for the County of Los Angeles captioned *Aurelio Cruz, Jr. v. Crazy Horse*  
5 *Restaurant, et al.*, Case No. KC054631 (the "Underlying Action");

6           2.       The Burlington Insurance Company never had any duty to defend  
7 Crazy Horse or John Nuccio in the Underlying Action;

8           3.       The Burlington Insurance Company has no duty to indemnify Crazy  
9 Horse or John Nuccio for the judgment in the Underlying Action;

10          4.       The Burlington Insurance Company has no duty to pay Aurelio Cruz,  
11 Jr. any portion of the judgment in the Underlying Action;

12          5.       Defendants and Counterclaimants Crazy Horse, John Nuccio and  
13 Aurelio Cruz, Jr. take nothing and their counterclaims are dismissed with prejudice;  
14 and

15          6.       Plaintiff to recover its costs of suit.

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19 Dated: Oct. 13, 2011



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Hon. Manuel L. Real  
United States District Judge