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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

SUPREME FOODSERVICE GMBH,  
a Swiss corporation,

Plaintiff,

v.

FLUOR INTERCONTINENTAL, INC.,

Defendant.

CASE NO. CV11-08803 SVW (FFMx)

~~PROPOSED~~ FINAL JUDGMENT

On October 24, 2011, Plaintiff Supreme Foodservice GmbH (“Supreme”) filed its original complaint in this action. Supreme filed a First Amended Complaint on June 26, 2012, alleging eleven Claims for Relief. Defendant Fluor Intercontinental, Inc. (“Fluor”) filed its Answer and Amended Counterclaims on July 25, 2012, alleging seven Counterclaims against Supreme.

On August 17, 2012, Fluor filed a Motion for Summary Judgment (the “Motion”) as to Supreme’s First, Second, Third, Fourth, Sixth, Seventh, Eighth and Ninth Claims for Relief, and as to Fluor’s Sixth Counterclaim.

On September 25, 2012, the Court issued an Order Granting In Part And Denying In Part Fluor’s Motion. The Court granted Fluor’s Motion as to Supreme’s First, Second, Fourth, Seventh and Ninth Claims for Relief, and Fluor’s Sixth

1 Counterclaim; and the Court denied Fluor's Motion as to Supreme's Third, Sixth and  
2 Eighth Claims for Relief.

3 On September 27, 2012, and pursuant to Fluor's Ex Parte Application, the  
4 Court issued an Order dismissing without prejudice Fluor's Second, Third, Fourth,  
5 and Fifth Counterclaims.

6 On October 1, 2012, and pursuant to Fluor's motion made during a Status  
7 Conference on that date, the Court issued an Order dismissing without prejudice  
8 Fluor's First and Seventh Counterclaims.

9 On October 18, 2012, and pursuant to Supreme's Ex Parte Application, the  
10 Court issued an Order dismissing without prejudice Supreme's Third, Fifth, Tenth and  
11 Eleventh Claims for Relief.

12 On February 7, 2012, and pursuant to a joint stipulation of the parties, the Court  
13 issued an Order dismissing the remaining claims, Supreme's Sixth and Eighth Claims  
14 for Relief.

15 Based on the foregoing,

16 IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

17 1. Judgment be entered in favor of Fluor and against Supreme as to  
18 Supreme's First, Second, Fourth, Seventh and Ninth Claims for Relief, and as to  
19 Fluor's Sixth Counterclaim; and

20 2. Fluor shall be entitled to recover its costs as permitted by applicable law.

21 IT IS SO ORDERED.

22 Dated: February 25, 2013

23 By:  \_\_\_\_\_

24 HON. STEPHEN V. WILSON  
25 United States District Judge  
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