

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**GREENBERG GLUSKER FIELDS CLAMAN
& MACHTINGER LLP**
1900 Avenue of the Stars, 21st Floor
Los Angeles, California 90067-4590

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

FIFTY-SIX HOPE ROAD MUSIC LIMITED, a Bahamian corporation, and HOPE ROAD MERCHANDISING, LLC, a Florida limited liability company,

Plaintiffs,

v.

JAMMIN JAVA CORPORATION, a Nevada corporation, and DOES 1-10,

Defendants.

Case No. 2:16-cv-05810-SVW-MRW
[Assigned to:
Hon. Stephen V. Wilson]
AMENDED FINAL JUDGMENT

On September 20, 2016, Plaintiffs Fifty-Six Hope Road Music Limited (“56HR”) and Hope Road Merchandising, LLC (“HRM”) (collectively “Plaintiffs”) filed their First Amended Complaint against Defendant Jammin Java Corporation (“JJ”) for Breach of Contract as to the parties’ Long and Short Term Licenses, Declaratory Relief as to the parties’ Long and Short Term Licenses, Interference with Prospective Economic Advantage, Trademark Infringement, Accounting, Fraud-Misrepresentation, and Indemnification.

On September 26, 2016, Defendant JJ filed its Answer and Counterclaims

1 against Plaintiffs and Third-Party Complaint against Rohan Marley.

2 On November 22, 2016, Defendant JJ filed its Third Amended Counterclaims
3 against Plaintiffs.

4 On December 12, 2016, Plaintiffs filed a Motion for Partial Summary
5 Judgment as to Plaintiffs' First and Third Claims for Relief and Defendant JJ's First
6 through Sixth and Ninth Counterclaims for Relief. The hearing on that Motion was
7 held before the Honorable Stephen V. Wilson, United States District Court Judge,
8 presiding, on January 23, 2017.

9 The Court, in an Order dated January 25, 2017 (Dkt. No. 97), granted
10 Plaintiffs' Motion for Partial Summary Judgment with respect to Plaintiffs' First
11 and Third Claims for Relief, as well as with respect to Defendant's First, Second,
12 Third, and Fourth Counterclaims.

13 On February 3, 2017, Defendant JJ filed a Motion for Voluntary Dismissal of
14 Defendant's Counterclaims. The hearing on that Motion was held before the
15 Honorable Stephen V. Wilson, United States District Court Judge, presiding, on
16 February 15, 2017.

17 The Court, in an Order dated February 15, 2017 (Dkt. No. 118), dismissed all
18 of Defendant JJ's Counterclaims with prejudice.

19 On February 10, 2017, Plaintiffs filed a second Motion for Partial Summary
20 Judgment as to Plaintiffs' Second and Fourth Claims for Relief. The hearing on
21 that Motion was held before the Honorable Stephen V. Wilson, United States
22 District Court Judge, presiding, on February 15, 2017.

23 The Court, in an Order dated February 22, 2017 (Dkt. No. 122), granted
24 Plaintiffs' second Motion for Partial Summary Judgment in its entirety.

25 Pursuant to the Court's Order of February 21, 2017 (Dkt. No. 121),
26 Plaintiffs' filed a Motion for Award of Damages for trademark infringement on
27 April 7, 2017. The hearing on that Motion was held before the Honorable Stephen
28 V. Wilson, United States District Court Judge, presiding, on May 15, 2017.

1 The Court, in an Order dated May 30, 2017 (Dkt. No. 146), granted
2 Plaintiffs' Motion for Award of Damages in the amount of \$2,458,835.20.

3 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED
4 that:

5 1. Pursuant to the Court's Orders of January 25, 2017 (Dkt. No. 97),
6 February 15, 2017 (Dkt. No. 188), February 22, 2017 (Dkt. No. 122), and May 30,
7 2017 (Dkt. No. 146), judgment is entered against Defendant JJ and in favor of
8 Plaintiffs on Plaintiffs' First, Second, Third, Fourth, and Sixth Claims for Relief.

9 2. Plaintiffs are awarded damages in the amount of \$2,829,994.36, which
10 consists of:

11 a. \$371,159.16 in unpaid royalties awarded pursuant to the Court's
12 Orders of January 25, 2017 (Dkt. No. 97) and February 22, 2017
13 (Dkt. No. 122); and

14 b. \$2,458,835.20 awarded as a measure of damages for JJ's
15 trademark infringement pursuant to the Court's Order of May
16 30, 2017 (Dkt. No. 146).

17 3. Pursuant to Fed. R. Civ. P. 54(d) and the Court's Order of July 18,
18 2017 (Dkt. No. 155), Plaintiffs are entitled to recover their reasonable attorneys'
19 fees and costs from JJ in the amount of \$609,497.25.

20 4. Pursuant to the Court's Order on February 15, 2017 (Dkt. No. 118), all
21 of Defendant's Counterclaims are dismissed with prejudice.

22 5. Plaintiffs' Fifth, Seventh, Eighth, and Ninth Claims for Relief are
23 dismissed without prejudice.

24 **IT IS SO ORDERED.**

25 DATED: 4/15/2019

26 
27 Hon. Stephen V. Wilson
28 United States District Court Judge