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JS-6

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

CARIBBEAN QUEEN, INC., a  
California Corporation;

Plaintiff,

vs.

GRACIA FASHION CORP., a New  
York corporation; HONG IL KIM, an  
individual; BLUEFLY, INC., a Delaware  
corporation; JOSEPH C. PARK; an  
individual; RUELALA, INC., a  
Delaware corporation,

Defendants.

Case No.: 2:18-cv-03974-JFW-KSx

**ORDER DISMISSING ACTION  
WITH PREJUDICE**

The Court hereby orders as follows:

1. Plaintiff’s Motion for dismissal is GRANTED, and this case is dismissed in its entirety with prejudice subject to the terms and conditions specified below.
2. Each party shall bear its own costs and fees including attorney fees.
3. The dismissal does not have any res judicata effect as to the following:
  - (a) Claims that Plaintiff may have against any party other than the defendants to this action and their customers, and all of their respective

**ORDER DISMISSING ACTION WITH PREJUDICE**

1 past, present, and future predecessors, successors, affiliates, subsidiaries,  
2 agents, assigns, employees, officers, directors, shareholders, members,  
3 administrators, representatives, insurers, trustees, independent  
4 contractors, and attorneys (collectively "Released Parties"):

5 (b) Claims that Plaintiff may have as to any of the Released Parties'  
6 misconduct unrelated to the matters included in the settlement agreement  
7 between Plaintiff and the Gracia's insurer, Hanover Insurance Company  
8 ("Settlement Agreement"), including without limitation to copyright  
9 infringement upon any designs including design EW3013 and design  
10 EWcad 4441T rap (collectively the "Designs") which occurs after March  
11 29, 2020;

12 (c) Claims with respect to designs other than the Designs; and

13 (d) Any claims related to breach of the terms, representations or  
14 warranties specified in the Settlement Agreement.

15 4. The Court will retain jurisdiction for the sole purpose of enforcing the  
16 settlement until June 3, 2020. All dates in this action, including the trial  
17 date, are vacated.

18  
19 Dated: April 28, 2020



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21 The Honorable John F. Walter  
22 United States District Court Judge  
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