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

LUX EAP, LLC, a Wyoming Limited  
Liability Company,

Case No.: ED CV 17-1359-DMG (SPx)

Plaintiff,

**FINAL JUDGMENT [153]**

vs.

KATHLEEN A. BRUNER, ROBERT  
BRUNER, ROBERT BURKE,  
COMMUNITY ACTION  
EMPLOYEE ASSISTANCE  
PROGRAM, INC., a Non-Profit  
California corporation, and  
JOHN/JANE DOES 1-10,

Defendants.

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KATHLEEN A. BRUNER,  
ROBERT BRUNER,

Counterclaimants,

vs.

LUX EAP, LLC, a Wyoming Limited  
Liability Company, PHIL NEUMAN,  
COLIN C. CONNER II, JOHN  
GORZYNSKI, and JOHN/JANE  
DOES 1-10 inclusive,

Counterdefendants.

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1           WHEREAS, the Court’s Order Re Defendants and Counterclaimants Kathleen  
2 A. and Robert Bruner’s Motion for Partial Summary Judgment [ECF 106] (the  
3 “Partial Summary Judgment Order”) dismissed the claims asserted by  
4 Plaintiff/Counterdefendant Lux EAP, LLC (“Lux”) against Defendants/  
5 Counterclaimants Kathleen A. and Robert Bruner (the “Bruners”); and

6           WHEREAS the Partial Summary Judgment Order also entitles the Bruners to a  
7 judgment on liability on their breach of contract counterclaim against Lux; and

8           WHEREAS, the Bruners, on one hand, and Lux and Counterdefendants Phil  
9 Neuman, and Colin Conner (collectively with Lux, the “Lux Parties”), on the other  
10 hand, entered into (i) a partial settlement agreement (the “Partial Settlement”) at a  
11 settlement conference conducted on January 25, 2019 before Magistrate Judge Pym,  
12 the terms of which are set forth in the transcript of the January 25, 2019 court record  
13 [ECF 146]; and (ii) a Stipulation Implementing Partial Settlement [ECF 149] (the  
14 “Stipulation”); and

15           WHEREAS pursuant to the Partial Settlement and the Stipulation, Lux, while  
16 reserving its right to appeal the Partial Summary Judgment Order upon the issuance  
17 of a final judgment, has agreed that the Bruners’ contract damages consist of two  
18 million eight hundred forty-three thousand seven hundred ninety-nine dollars  
19 (\$2,843,799); and

20           WHEREAS pursuant to the Partial Settlement and the Stipulation, Lux has also  
21 agreed that prejudgment interest on the Bruners’ contract damages amounts to two  
22 hundred eighty-nine thousand eight hundred thirty-three dollars and seventy-six cents  
23 (\$289,833.76), which brings the total amount of a judgment on the Bruners’ contract  
24 counterclaim to three million one hundred thirty-three thousand six hundred thirty-  
25 two dollars and seventy-six cents (\$3,133,632.76); and

26           WHEREAS the Court, having reviewed the parties’ Joint Motion for Rule 54  
27 Judgment [ECF 153], which seeks (i) certification that the Partial Summary Judgment  
28 Order and a judgment on the Bruners’ breach of contract claim are final under Rule

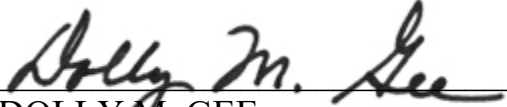
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54(b) of the Federal Rules of Civil Procedure; (ii) a determination that there is no just reason for delay of the Lux Parties' appeal of that final judgment; and (iii) a stay of the Bruners' remaining counterclaims pending the Lux Parties' appeal, hereby certifies this Judgment as final under Rule 54(b) of the Rules of Civil Procedure based on the determination that there is no just reason for delay of an appeal of this Judgment;

WHEREAS the Bruners' remaining counterclaims are hereby stayed pending the outcome of that appeal, and for good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Judgment is hereby entered in favor of the Bruners and against Lux on the Bruners' breach of contract counterclaim in the amount of three million one hundred thirty-three thousand six hundred thirty-two dollars and seventy-six cents (\$3,133,632.76).

DATED: April 8, 2019

  
DOLLY M. GEE  
UNITED STATES DISTRICT JUDGE