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JS-6

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

WALTER L. MITCHELL, III,
an individual,

Plaintiff,

v.

3PL SYSTEMS, INC., a California
Corporation,

Defendant.

Case No.: SACV11-00534 AG(ANx)

AMENDED JUDGMENT

3PL SYSTEMS, INC., a California
corporation,

Cross-Complainant,

v.

WALTER L. MITCHELL, III, an
individual, JONATHAN LANSAGAN, an
individual, CHRISTOPHER
VINCIGUERRA, an individual,
TRINNOS TECHNOLOGY LLC, a
California Limited Liability Corporation,
and ROES 1 – 10, inclusive,

Cross-Defendants.

Trial date: November 6, 2012
Complaint filed: April 7, 2011

1 WHEREAS, on April 9, 2012, this Court granted 3PL Systems, Inc.'s Motion
2 for Summary Judgment for all claims in the Complaint filed by Walter L. Mitchell,
3 III, and all claims in the Complaint filed by Walter L. Mitchell, III have been
4 dismissed against 3PL Systems, Inc.;

5 WHEREAS, judgment is entered in favor of 3PL Systems, Inc. as to all of
6 Walter L. Mitchell, III's claims;

7 WHEREAS, 3PL Systems, Inc.'s Cross-Claims against Walter L. Mitchell and
8 Trinnos Technology, LLC came before the Court for a trial by jury;

9 WHEREAS, the jury entered a special verdict on November 16, 2012;

10 WHEREAS, the jury found that 3PL Systems, Inc. owns the Copyrights for the
11 2005 version of the TMS source code; 3PL Systems, Inc. owns the Copyrights for the
12 2007 version of the TMS source code; and 3PL Systems, Inc. owns the Copyrights for
13 the 2010 version of the TMS source code.

14 WHEREAS, the jury found that Walter L. Mitchell, III, willfully infringed
15 3PL's copyright; and Trinnos Technology LLC willfully infringed 3PL's copyright;

16 IT IS HEREBY ORDERED, pursuant to the jury verdict entered on
17 November 16, 2012, that:

18 Judgment is entered in favor of Cross-Complainant 3PL Systems, Inc. and
19 against Cross-Defendants Walter L. Mitchell, III, and Trinnos Technology LLC.

20 3PL Systems, Inc. is awarded the amount of \$1,000,000.00 for
21 Walter L. Mitchell, III's negligent misrepresentation, breach of fiduciary duties, and
22 fraudulent concealment.

23 Walter L. Mitchell, III, and Trinnos Technology LLC are jointly and severally
24 liable in the amount of \$205,907.00 in favor of 3PL Systems, Inc., for their copyright
25 infringement and contributory infringement.

26 Walter L. Mitchell, III is individually liable in the amount of \$274,542.00 in
27 favor of 3PL Systems, Inc. for his copyright infringement.

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1 Walter L. Mitchell, III, is ORDERED to pay 3PL Systems, Inc. the total
2 amount of \$1,274,542.00, plus post-judgment interest as provided by law.

3 Walter L. Mitchell, III, and Trinnos Technology LLC are ORDERED to pay
4 3PL Systems, Inc. the total amount of \$205,907.00 plus post-judgment interest as
5 provided by law.

6 As the prevailing party, 3PL Systems, Inc. is awarded its costs incurred in this
7 action.

8 **IT IS SO ORDERED.**



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10 DATED: April 9, 2013

11 HONORABLE ANDREW J. GUILFORD
12 United States District Judge
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