

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Wiley Y. Daniel

Civil Action No. 12-cv-00411-WYD-KLM

LANDIS EDWARDS, individually and on behalf of all others similarly situated,

Plaintiff,

v.

ZENIMAX MEDIA INC., a Delaware Corporation, and BETHESDA SOFTWORKS LLC,
a Delaware Limited Liability Company,

Defendant.

ORDER

THIS MATTER is before the Court on Defendants' Motion to Limit Plaintiff's Recovery in Count VI of Plaintiff's Complaint filed on October 11, 2013. On November 1, 2013, Plaintiff filed a document entitled "Non-Opposition to Defendants' Motion for Order to Limit Plaintiff's Recovery in Count VI of Plaintiff's Complaint." Based on Plaintiff's lack of opposition to Defendants' motion as well as a finding of good cause for the relief sought in the motion, it is

ORDERED that Defendants' Motion to Limit Plaintiff's Recovery in Count VI of Plaintiff's Complaint (ECF No. 57) is **GRANTED**. In accordance therewith, it is

ORDERED that Plaintiff's recovery in Count IV shall be limited to the amount that Plaintiff can establish that Defendants were unjustly enriched at his individual expense, and Plaintiff is not entitled to disgorgement of any of Defendants' profit from any sales of *Oblivion* beyond the profit associated with the single copy of the game.

Dated: November 4, 2013.

BY THE COURT:

s/ Wiley Y. Daniel _____
Wiley Y. Daniel,
Senior United States District Judge