

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Raymond P. Moore**

Civil Action No. 13-cv-01751-RM-CBS

STEAK N SHAKE ENTERPRISES, INC., and
STEAK N SHAKE, LLC,

Plaintiffs,

v.

GLOBEX COMPANY, LLC,
SPRINGFIELD DOWNS, LLC,
CHRISTOPHER BAERNS,
LARRY BAERNS,
KATHRYN BAERNS, and
CONTROL, LLC,

Defendants.

FINAL JUDGMENT

Pursuant to and in accordance with Fed. R. Civ. P. 58(a), all Orders entered during the pendency of this case, and the Order entered by the Honorable Raymond P. Moore, United States District Judge, on December 15, 2015,

IT IS ORDERED

- (1) That the issue of whether a permanent injunction should issue on the covenants not to compete raised in the Motion for Summary Judgment (ECF No. 81) is DENIED AS MOOT;
- (2) That the issue of damages under the Lanham Act and otherwise raised in the Motion for Summary Judgment (ECF No. 81) is DENIED AS MOOT;

- (3) That pursuant to the Court's Order dated June 23, 2015 (ECF No. 105) granting the Motion for Summary Judgment as to the other issues raised, JUDGMENT is entered in favor of Plaintiffs Steak n Shake Enterprises, Inc. and Steak n Shake, LLC and against Defendants Globex Company, LLC, Springfield Downs, LLC, Christopher Baerns, Larry Baerns, Kathryn Baerns, and Control, LLC; and
- (4) Plaintiffs are awarded costs and shall, within 14 days of the date of the December 15, 2015 Order, file a Bill of Costs, in accordance with the procedures under Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1, which shall be taxed by the Clerk of the Court.

Dated at Denver, Colorado this 15th day of December, 2015.

BY THE COURT:
JEFFREY P. COLWELL, CLERK

By: s/Deborah Hansen
Deborah Hansen, Deputy Clerk