

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

REPUBLIC TECHNOLOGIES (NA), LLC )  
and REPUBLIC TOBACCO, L.P., )

Plaintiffs, )

vs. )

BBK TOBACCO & FOODS, LLP d/b/a HBI )  
INTERNATIONAL, )

Defendant, )

Case No. 16-cv-03401

\_\_\_\_\_ )

Judge Thomas M. Durkin

BBK TOBACCO & FOODS, LLP d/b/a HBI )  
INTERNATIONAL, )

Counter-Plaintiff, )

vs. )

REPUBLIC TECHNOLOGIES (NA), LLC, )  
REPUBLIC TOBACCO, L.P., and )  
VANILLA LA GROUP, INC. )

Counter-Defendants. )

**BBK TOBACCO & FOODS, LLP D/B/A HBI INTERNATIONAL'S  
RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW**

BBK Tobacco & Foods, LLP d/b/a HBI International (“HBI”) hereby moves for judgment as a matter of law against Defendants Republic Technologies (NA), LLC, and Republic Tobacco, L.P. (“Republic”) pursuant to Federal Rule of Civil Procedure 50(b).

This relief is proper for the reasons set forth in the memorandum of law filed concurrently herewith. Specifically, Republic’s state-law claims in Counts IV and V of its Second Amended Complaint fail because Republic did not demonstrate at trial that HBI’s

conduct occurred “primarily and substantially in Illinois.” Second, all of Republic’s claims in this case should nevertheless be barred by HBI’s laches and estoppel affirmative defenses.

Dated: August 13, 2021

BBK TOBACCO & FOODS, LLC  
d/b/a HBI INTERNATIONAL

By: /s/ David S. Becker  
One of its attorneys

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 13th day of August, 2021, that the above and foregoing **BBK Tobacco & Foods, LLP D/B/A HBI International's Renewed Motion for Judgment as a Matter of Law** was filed electronically with the Clerk of the Court using the CM/ECF system, which sent notification to all ECF registrants that are counsel of record for this matter.

By: /s/ David S. Becker