

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

CIVIL ACTION NO. 3:12-CV-564-H

KFC CORPORATION

PLAINTIFF

V.

ZUBAIR M. KAZI

DEFENDANT

CIVIL ACTION NO. 3:13-CV-291-H

KFC NATIONAL COUNCIL & ADVERTISING
COOPERATIVE, INC.

PLAINTIFF

V.

ZUBAIR M. KAZI

DEFENDANT

MEMORANDUM OPINION AND ORDER

Zubair Kazi has asked this Court to reconsider orders it issued on September 30 and November 19, 2014 (“the September 30 Order” and “the November 19 Order”). For the reasons that follow, the Court now denies his requested reconsideration of the November 19 Order.¹

The November 19 Order denied Kazi’s request to conduct discovery on certain affirmative defenses, including an argument that KFC Corporation (“KFCC”) and KFC National Council & Advertising Cooperative, Inc. (“NCAC”) had engaged in illegal antitrust practices. In that Order, the Court determined both that guaranty agreements Kazi signed with NCAC barred his assertion of affirmative defenses, and that the Court considered his antitrust arguments to be without merit anyway. Kazi has taken issue with the Court’s decision, saying that he never had a

¹ At a later date the Court will address Kazi’s requested reconsideration of the September 30 Order.

chance to fully flesh out the antitrust argument. He then provides greater detail on why he believes an illegal antitrust violation occurred.

The Court thanks Kazi for his elaborations, but still believes that its decision to grant NCAC summary judgment was appropriate. Kazi had briefed the issue of antitrust violations before, and both KFCC and NCAC had responded to them. Having carefully considered these arguments before, and feeling that Kazi merely expounded on old arguments and provided greater context without actually adding anything new that the Court had not considered before, the Court believes that a lengthy opinion denying Kazi's reconsideration motion is unnecessary.

Being otherwise sufficiently advised,

IT IS HEREBY ORDERED that the motion of Defendant, Zubair Kazi, for reconsideration is DENIED as to the November 19 Order.

cc: Counsel of Record