

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

INNOVATION VENTURES, LLC f/d/b/a
LIVING ESSENTIALS, a Michigan
limited liability company,

Plaintiff/Counter-Defendant,

Case No. 12-cv-13850

v.

Hon. Terrence G. Berg

CUSTOM NUTRITION LABORATORIES, LLC,
a Texas limited liability company,

Defendant,

NUTRITION SCIENCE LABORATORIES, LLC, a
Texas limited liability company,
and ALAN JONES,

Defendants/Counter-Plaintiffs.

STIPULATION

For the purpose of expediting appeal of the previous orders and judgment in this case, the parties stipulate as follows with regard to the remaining issues in this case:

1. The parties stipulate to the dismissal of Count III of Plaintiff's Second Amended Complaint with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).
2. The parties stipulate that the meaning of "any successful order" as used in

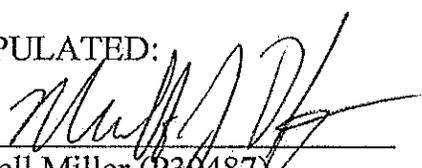
Section 20 of the Settlement Agreement does not encompass a judgment or order for nominal damages.

3. The parties stipulate that, if awarded, nominal damages are \$1.

4. The parties stipulate that nominal damages in the amount of \$1 do not constitute sufficient prejudice to support the affirmative defense of laches under Michigan law.

SO STIPULATED:

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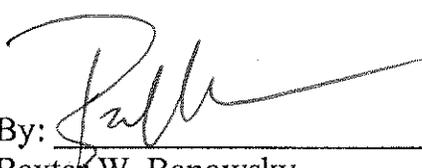

E. Powell Miller (P39487)
Martha J. Olijnyk (P60191)
THE MILLER LAW FIRM, P.C.
950 W. University Drive, Ste. 300
Rochester, MI 48307
(248) 841-2200
mjo@millerlawpc.com

Kevin J. Watts (P64852)
OAKLAND LAW GROUP, PLLC
38955 Hills Tech Drive
Farmington Hills, MI 48307
(248) 536-3282
kwatts@oaklandlawgroup.com

Matthew T. Nelson (P64768)
WARNER NORCROSS & JUDD LLP
900 Fifth Third Center
111 Lyon Avenue, NW
Grand Rapids, MI 49502
(616) 752-2539
mnelson@wnj.com

Attorneys for Innovation Ventures,
LLC

By:


Baxter W. Banowsky
Texas State Bar No. 00783593
BANOWSKY & LEVINE, P.C.
12801 N. Central Expressway, Suite
1700
Dallas, Texas 75243
(214) 871-1300
bwb@banowsky.com

Mark C. Pierce (P25946)
PIERCE, FARRELL, TAFELSKI &
WELLS, PLC
2525 S. Telegraph Road, Suite 100
Bloomfield Hills, MI 48302
(248) 451-2200
mpierce@pft-law.com

Attorneys for Nutrition Science
Laboratories, LLC and Alan Jones

Dated: June 21, 2017

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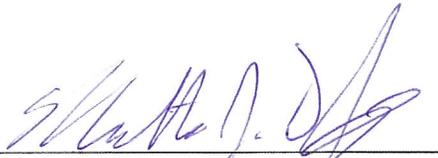
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Defendants/Counter-Plaintiffs.

JUDGMENT

Pursuant to the parties' Stipulation dated June 21, 2017, the Court's previous orders, and the default entered against Custom Nutrition Laboratories, LLC, judgment is hereby entered in favor of Innovation Ventures, LLC and against Defendants Custom Nutrition Laboratories, LLC, Nutrition Science Laboratories, LLC, and Alan Jones in the nominal amount of \$1.00. Each party shall bear its own costs and fees. This is a final order and closes the case.

Approved as to Form Only and Preserving All Rights of Appeal:

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E. Powell Miller (P39487)
Martha J. Olijnyk (P60191)
THE MILLER LAW FIRM, P.C.
950 W. University Drive, Ste. 300
Rochester, MI 48307
(248) 841-2200
mjo@millerlawpc.com

Kevin J. Watts (P64852)
OAKLAND LAW GROUP, PLLC
38955 Hills Tech Drive
Farmington Hills, MI 48307
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WARNER NORCROSS & JUDD LLP
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111 Lyon Avenue, NW
Grand Rapids, MI 49502
(616) 752-2539
mnelson@wnj.com

Attorneys for Innovation Ventures,
LLC

By: 

Baxter W. Banowsky
Texas State Bar No. 00783593
BANOWSKY & LEVINE, P.C.
12801 N. Central Expressway, Suite
1700
Dallas, Texas 75243
(214) 871-1300
bwb@banowsky.com

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PIERCE, FARRELL, TAFELSKI &
WELLS, PLC
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