

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DUNKIN=DONUTS FRANCHISING)
LLC; DD IP HOLDER LLC; BASKIN-)
ROBBINS FRANCHISING LLC; and BR)
IP HOLDER LLC,)

Plaintiffs / Counterclaim Defendants,)

vs.)

Case No. 4:11CV01484 AGF

SAI FOOD HOISPITALITY, LLC,)
JAYANT PATEL, and ULKA PATEL,)

Defendants / Counterclaim Plaintiffs,)


DUNKIN' BRANDS GROUP INC. and)
DUNKIN' BRANDS INC.,)

Counterclaim Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiffs' "Supplemental Memorandum" (Doc. No. 177) filed in response to the Court's Memorandum and Order dated July 16, 2013. The Court construes the Supplemental Memorandum as a motion for reconsideration or clarification of the Court's conclusion in the Memorandum and Order that if Defendants prevail on their claim that termination of the Florissant franchise agreement was wrongful, Defendants could potentially be entitled to recoup their investment in the Florissant store, less the current value of the store and profits they realized.

Although the Court did not rule on any issues related to the Store Development Agreement (“SDA”), the Court did mention that agreement, and will grant Plaintiffs’ motion to the extent of clarifying that indeed the Court had previously granted Plaintiffs summary judgment on Count II of the Third Amended Counterclaim in which Defendants claimed breach of the SDA. The Court denies Plaintiffs’ motion for reconsideration or clarification in other regards.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 12th day of August, 2013.