

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JACKSON HEWITT, INC.
Plaintiff,
v.
BARNES ENTERPRISES, INC., et al;
Defendants.

Hon. Dennis M. Cavanaugh

ORDER

No. 10-cv-05108 (DMC) (JAD)

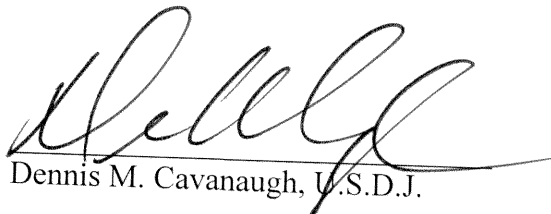
DENNIS M. CAVANAUGH, U.S.D.J.:

This matter comes before the Court upon a motion for summary judgment by Jackson Hewitt Inc. ("Plaintiff") against Barnes Enterprises12, Inc. and Richard S. Barnes ("Defendants") as to Count VIII, Count IX, and Count XII (ECF No. 340-1, Dec. 14, 2012) and upon Defendants' motion for partial summary judgment as to Counts I-VI of the verified complaint. (ECF 341-1, Dec. 17, 2012). Pursuant to FED. R. CIV. P 78, no oral argument was heard. Upon careful consideration of the submissions of the parties, and based upon the Court's Opinion filed this day;

IT IS on this 5 day of Aug, 2013:

ORDERED that Plaintiff's motion for summary judgment is **granted in part**; and it is further

ORDERED Defendants' cross- motion for partial summary judgment is **denied**.


Dennis M. Cavanaugh, U.S.D.J.

Original: Clerk's Office
cc: Hon. Joseph A. Dickson, U.S.M.J.
All Counsel of Record
File