

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

AMERICAN HONDA MOTOR CO., INC.,

Plaintiff,

v.

V.M. PAOLOZZI IMPORTS INC. d/b/a
DEALMAKER HONDA OF WATERTOWN and
DEALMAKER OF POTSDAM, LLC d/b/a
DEALMAKER HONDA OF POTSDAM,

Defendants.

Case: 7:10-CV-00955
(FJS-ATB)

CONSENT JUDGMENT

Plaintiff American Honda Motor Co., Inc. ("American Honda"), Defendant V.M. Paolozzi Imports, Inc. d/b/a DealMaker Honda of Watertown ("Defendant Watertown") and Defendant DealMaker of Potsdam, LLC d/b/a DealMaker Honda of Potsdam ("Defendant Potsdam"), having advised the Court that they have entered into a settlement agreement and that they consent to the entry of this Consent Judgment; and the Defendants having waived Findings of Fact and Conclusions of Law with respect to paragraph 1 below; and all parties having waived any right to appeal from this Consent Judgment;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. Defendant Watertown and Defendant Potsdam are hereby permanently enjoined from using or displaying any Honda trademarks, Honda trade dress design elements, or other Honda markings.

2. This action is hereby dismissed with prejudice and without taxable costs to either party under Rule 54(d)(1) of the Federal Rules of Civil Procedure; provided, however, that this Consent Judgment shall not bar American Honda from asserting, as a set-off only and not as an

affirmative claim or counterclaim, its claims for damages and attorney's fees asserted in the amended complaint in this action against Defendant Watertown and Defendant Potsdam, respectively, to reduce any potential recovery by Defendant Watertown or Defendant Potsdam, respectively, on any claims for damages asserted by Defendant Watertown or by Defendant Potsdam, respectively, in any other action or proceeding.

Accordingly, the Clerk is ordered to enter this Consent Judgment forthwith and without further notice.

IT IS SO ORDERED.

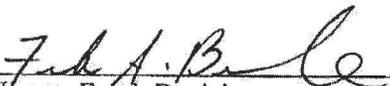
Dated: December 2, 2015
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge

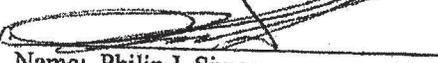
CONSENTED TO:

AMERICAN HONDA MOTOR CO., INC.

By: 

Name: Frank Beniche
Title: Assistant Vice President, Market Representation

V.M. PAOLOZZI IMPORTS, INC. D/B/A
DEALMAKER HONDA OF WATERTOWN

By: 
Name: Philip J. Simao
Title: President

DEALMAKER OF POTSDAM, LLC D/B/A
DEALMAKER HONDA OF POTSDAM

By: 
Name: Philip J. Simao
Title: President

APPROVED AS TO FORM AND ENTRY REQUESTED:

HOGAN LOVELLS US LLP

MCMAHON, KUBLICK & SMITH, P.C.

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