



Partial Summary Judgment Motion, and referred the matter to the assigned magistrate judge for a determination of damages, costs and attorney's fees. [Dkt. No. 45];

WHEREAS, Magistrate Judge Sarah L. Cave, having replaced Magistrate Judge Pitman in this action, issued a report and recommendation on May 29, 2020 recommending that on the basis of Magistrate Judge Pitman's Report and Recommendation that Plaintiff Global Brand Holdings, LLC be awarded "(1) damages on its breach of contract claim only in the amount of \$154,755.21; (2) prejudgment interest in the amount of \$37.00 per day from March 6, 2017 until the date the District Court enters judgment; (3) attorneys' fees in the amount of \$97,075.00; and (4) costs in the amount of \$400.00." [Dkt. 57];

WHEREAS on August 4, 2020 the Court entered an Order [Dkt. 58] adopting Magistrate Judge Cave's May 29, 2020 report and recommendation and awarding plaintiff the damages, interest, attorneys' fees, and costs specified in the May 29, 2020 report and recommendation.

NOW THEREFORE, IT IS HEREBY:

ORDERED AND ADJUDGED that Plaintiff Global Brand Holdings, LLC recover from Defendant Accessories Direct International USA, Inc. judgment as follows: (a) \$154,755.21 for damages on Plaintiff's breach of contract claim; (b) \$97,075.00 for Plaintiff's attorneys' fees; (c) \$400.00 in Plaintiff's costs; and (d) prejudgment interest of <sup>\$</sup>47,767, representing interest in

the amount of \$37.00 per day from March 6, 2017 until the date of this Order and Judgment, for a total of \$299,597.21.

FURTHER ORDERED that Plaintiff's Global Brand Holdings, LLC First Claim for Relief for Trademark Infringement under 15 U.S.C. § 1114, Second Claim for Relief for False Designation of Origin under 15 U.S.C. § 1125(a), Third Claim for Relief for Trademark Infringement in Violation of New York State Common Law and Fifth Claim for Relief for Breach

of the Duty of Good Faith and Fair Dealing in Violation of the Common Law of New York are hereby dismissed without prejudice. This constitutes the decision, judgment and order of this

Court. *The Clerk shall close the case. [Signature]*

Dated: 9/17/2020

**SO ORDERED AND ADJUDGED.**

*[Signature]*

Lewis A. Kaplan

United States District Judge