

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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<b>DUNKIN' DONUTS FRANCHISING, LLC</b>	:	
<b>et al.,</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiffs,</b>	:	
	:	<b>No. 12-2010</b>
<b>v.</b>	:	
	:	
<b>CLAUDIA I, LLC et al.,</b>	:	
<b>Defendants,</b>	:	
	:	
<i>and</i>	:	
	:	
<b>CLAUDIA I, LLC et al.,</b>	:	
<b>Third Party Plaintiffs,</b>	:	
<b>v.</b>	:	
	:	
<b>SPRING HILL REALTY, INC.,</b>	:	
<b>Third Party Defendant.</b>	:	

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**ORDER**

This 12th day of December, 2014 it is **ORDERED** as follows:

1. For the reasons explained in the Court's Memorandum of October 20, 2014:
  - a. As to Plaintiffs' Count I, alleging breach of franchise agreement and sublease, judgment is entered in favor of Plaintiffs and against Defendants.
  - b. As to Plaintiffs' Counts II and III, alleging trademark infringement and unfair competition, judgment is entered in favor of Plaintiffs and against Defendants.
  - c. As to Plaintiffs' Count IV, seeking enforcement of the restrictive covenant, judgment is entered in favor of Plaintiffs and against Defendants.
  - d. The injunction issued by Judge Stengel on May 17, 2013 is permanent.

- e. As to Defendants' Count III, breach of contract against Spring Hill and Dunkin', judgment is entered in favor of Plaintiffs and Spring Hill and against Defendants.
  - f. As to Defendants' Count V, breach of franchise agreement against Plaintiffs, judgment is entered in favor of Plaintiffs and against Defendants.
  - g. As to Defendants' Count VII, tortious interference with the Franchise Agreement against Spring Hill, judgment is entered in favor of Spring Hill and against Defendants.
  - h. As stated in the Memorandum, the total judgment, not including reasonable attorneys' fees, awarded against Defendants to Dunkin' was \$212,724.57.
2. For the reasons explained in the Court's Memorandum accompanying this Order relating to reasonable attorneys' fees:
    - a. Plaintiffs are awarded attorneys' fees and costs against Defendants in the amount of \$203,803.34.
    - b. Spring Hill's request for an award of attorneys' fees against Plaintiffs or Defendants is **DENIED**.
  3. Judgment is entered in favor of Plaintiffs and against Defendants Claudia I, LLC, Manfred P. Marotta, and Lynne K. Marotta in the amount of \$212,724.57 (judgment on the merits) plus \$203,803.34 (attorneys' fees and costs), for a total of \$416,527.91.
  4. The Clerk of Court shall close this case for statistical purposes.

/s/ Gerald Austin McHugh  
United States District Court Judge