



1. Plaintiff NewSpring's Motion for Summary Judgment (ECF No. 269) is **DENIED** in its entirety.
2. Defendants Baxter McLindon Hayes, III, and Jarrod Tyson Hayes's Motion for Summary Judgment (ECF No. 263) is **GRANTED** as to Counts IV and X, and **DENIED** as to the remaining counts.
3. Defendants Baxter McLindon Hayes, Jr., and Utilipath Holdings, Inc.'s Motion for Summary Judgment as to Certain Claims (ECF No. 266) is **GRANTED** as to Counts IV and X, and **DENIED** as to the remaining counts.
4. Counterclaim Defendants NewSpring Mezzanine Capital II, L.P., Steven Hobman, and Amy Christensen's Motion for Summary Judgment (ECF No. 268) is **DENIED** in its entirety.
5. Defendant Utilipath LLC's Motion for Summary Judgment as to Certain Crossclaims (ECF No. 265) is **DENIED**.
6. Defendants Baxter McLindon Hayes, III, and Jarrod Tyson Hayes's Motion for Summary Judgment as to Certain Crossclaims (ECF No. 264), and Defendants Baxter McLindon Hayes, Jr., and Utilipath Holdings, Inc.'s identical Motion (ECF No. 267) are both **GRANTED**.

/s/ GERALD AUSTIN MCHUGH \_\_\_\_\_

Gerald Austin McHugh  
United States District Judge