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

CONTOUR DATA SOLUTIONS LLC

Plaintiff,

v.

GRIDFORCE ENERGY MANAGEMENT LLC, et al.

Defendants.

CIVIL ACTION NO. 20-3241

ORDER

AND NOW, this 28th day of August 2024, upon consideration of the Motions for Summary Judgment and the responses and replies thereto, and for the reasons stated in the accompanying Memorandum Opinion, it is hereby **ORDERED** that:

- The Motion for Summary Judgment of Plaintiff Contour Data Solutions, LLC
 [Doc. No. 335] is **DENIED** in its entirety.
 - a. Specifically, Contour's Motion for Summary Judgment on Counts I (breach of contract), IV (conversion), V (Computer Fraud and Abuse Act), VI (Stored Communications Act), and VII (Texas Harmful Access by a Computer Act) is
 DENIED. Contour's Motion for Summary Judgment is also DENIED as to
 Gridforce's counterclaim and Gridforce's affirmative defenses two through seven.
- The Motion for Summary Judgment of Defendant Gridforce Energy Management LLC and NAES Corporation [Doc. No. 339] is GRANTED as follows:
 - a. Counts II (misappropriation of trade secrets), III (Defend Trade Secrets Act),
 IV (conversion), V (Computer Fraud and Abuse Act), VI (Stored
 Communications Act), and VII (Texas Harmful Access by a Computer Act) are
 DISMISSED.

b. On Count I (breach of contract), damages are limited to those proven to have been incurred before August 2020.

It is so **ORDERED.**

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFE, J.