

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

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WAI FENG TRADING CO., LTD. and))	
EFF MANUFACTORY CO., LTD.,))	
))	
Plaintiffs,))	
))	
v.))	C.A. No. 13-033 WES
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QUICK FITTING, INC.,))	
))	
Defendant.))	
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))	consolidated with
QUICK FITTING, INC.,))	
))	
Plaintiff,))	
))	
v.))	C.A. No. 13-056 WES
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WAI FENG TRADING CO.,))	
LTD., ET AL.,))	
))	
Defendants.))	
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ORDER

Magistrate Judge Patricia A. Sullivan filed two Reports and Recommendations in these consolidated cases. See ECF Nos. 230, 231 (C.A. No. 13-033); ECF Nos. 318, 319 (C.A. No. 13-056). The parties subsequently filed various objections. After reviewing the relevant papers and law, the Court finds these objections without merit, and therefore ACCEPTS and ADOPTS the Reports and Recommendations as they are. Furthermore, all objections to Magistrate Judge Sullivan’s subsequent Memoranda and Orders (e.g.,

ECF No. 246 in C.A. No. 13-33; ECF No. 334 in C.A. No. 13-056) are overruled.

Accordingly, the Court grants in part and denies in part the Wai Feng parties' summary judgment motion taking aim at (a) Count IV of Quick Fitting's counterclaims in C.A. No. 13-33, (b) Count I of Quick Fitting's operative complaint in C.A. No. 13-56, and (c) the sufficiency of the evidence Quick Fitting presents on those alleged breaches of contract. (ECF No. 255, C.A. No. 13-56). The motion is granted as to aspects (a) and (b) but denied as to (c). The Court denies Andrew Yung's summary judgment motion challenging Quick Fitting's Count IX in C.A. No. 13-56. (ECF No. 256, C.A. No. 13-56). The Court grants EFF LLC's motion for summary judgment (ECF No. 257, C.A. No. 13-56). The Wai Feng parties' motion for summary judgment challenging certain state law claims Quick Fitting advances in C.A. No. 13-56, is granted in part and denied in part. (ECF No. 254, C.A. No. 13-56). The Court grants the motion as to fraud/misrepresentation (Count III) and defamation (Count IV) and denies it as to misappropriation of trade secrets (Count II), civil conspiracy (Count X), and injunctive relief (Count XI).

The Court grants in part the Wai Feng parties' summary judgment motion (ECF No. 180, C.A. No. 13-33; ECF No. 253, C.A. No. 13-56) on Counts I and II of the C.A. No. 13-33 complaint, resulting in judgment in Wai Feng Trading's favor for the amount of \$432,611.47, plus prejudgment interest. Because the motion is

granted in Wai Feng Trading's favor, the Court denies it as to EFF Manufactory so that Quick Fitting does not pay its debt twice. The Court also denies Quick Fitting's corresponding motion for summary judgment (ECF No. 259, C.A. No. 13-56) on Counts I and II in the C.A. No. 13-33 complaint as to the claims of Wai Feng Trading, but grants it as to the claims of EFF Manufactory. Finally, the Court grants in part and denies in part the Wai Feng parties' remaining summary judgment motion (ECF No. 254, C.A. No. 13-56); grants it on Quick Fitting's negligence claims in Count VI of its C.A. No. 13-56 complaint and Count II of its C.A. No. 13-33 counterclaims, but denies it as to Quick Fitting's defective product claims alleged in Counts V, VII and VIII of its C.A. No. 13-56 complaint and Counts I, III, and V of its C.A. No. 13-33 counterclaims.

IT IS SO ORDERED.



William E. Smith

Chief Judge

Date: September 16, 2019