**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

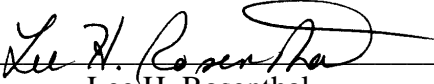|		
KIPP FLORES ARCHITECTS, LLC	§	
	§	
	§	
v.	§	CIVIL ACTION NO. H-14-2702
	§	
MID-CONTINENT CASUALTY CO.	§	
	§	

**AMENDED ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
ON CROSS-MOTIONS FOR SUMMARY JUDGMENT**

This court has reviewed the Memorandum and Recommendation of United States Magistrate Judge Milloy signed on February 29, 2016, and has made a *de novo* determination of the recommended disposition. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). This court finds that the Memorandum and Recommendation should be, and is, adopted as this court's Memorandum and Order. This court has considered and overruled the objections filed by Kipp Flores Architects, LLC. The court notes that neither the facts disclosed in the record nor authorities cited in the briefs Kipp Flores submitted supports his claim that in addition to the $3,231,084.00 damages he received in the jury trial of his copyright infringement claim against Hallmark Design, which was in bankruptcy, he is entitled to receive $63,471,000.00 based on a proof of claim filed in the Hallmark Collection bankruptcy case. The Memorandum and Recommendation of the Magistrate Judge, which this court has adopted, sets out grounds for that result.

This court denies Kipp Flores's motion for summary judgment (Docket Entry No. 82), overrules his objections to the Magistrate Judge's Memorandum and Recommendation (Docket Entry No. 109), and grants Mid-Continent's cross-motion for summary judgment (Docket Entry No. 91). The motion to exclude expert declaration (Docket Entry No. 96) is denied as moot. The motion to submit additional authority (Docket Entry No. 106), is granted. Final judgment dismissing this case with prejudice is entered by separate order.

SIGNED on March 30, 2016, at Houston, Texas.

Lee H. Rosenthal
United States District Judge