

United States District Court
Southern District of Texas

ENTERED

November 08, 2017

David J. Bradley, Clerk

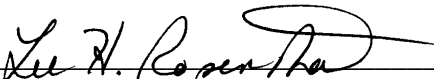
**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

| | | |
|--|---|----------------------------|
| CYPRESS ENGINE ACCESSORIES, LLC, | § | |
| | § | |
| Plaintiff, | § | |
| | § | |
| v. | § | CIVIL ACTION NO. H-15-2227 |
| | § | |
| HDMS LIMITED COMPANY, d/b/a | § | |
| PREMIUM POWER SOLUTIONS, <i>et al.</i> , | § | |
| | § | |
| Defendants. | § | |

FINAL JUDGMENT

For the reasons set forth in the accompanying Memorandum and Opinion, the defendant HDMS’s motion for summary judgment, (Docket Entry No. 78), is granted in part and denied in part. The court grants summary judgment for HDMS on its counterclaim against Cypress Engine for selling prechambers and grants summary judgment for HDMS on its counterclaim that Cypress Engine’s DTPA claims were groundless as a matter of law. HDMS’s counterclaim against Cypress Engine for breach of contract for filing the present litigation is dismissed with prejudice. Cypress Engine’s claims against HDMS are dismissed with prejudice. The defendant Powertech Marine’s motion for summary judgment, (Docket Entry No. 77), is granted and Cypress Engine’s claims against Powertech Marine are dismissed with prejudice. The court grants HDMS a fee award of \$75,949.07 for reasonable and necessary fees incurred in defending against Cypress Engine’s DTPA claim.

SIGNED on November 8, 2017, at Houston, Texas.



 Lee H. Rosenthal
 Chief United States District Judge