

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

**SUPERIOR CONSULTING SERVICES,
INC.,**

Plaintiff,

v.

Case No: 6:16-cv-2001-Orl-31GJK

**SHAKLEE CORPORATION and
SHAKLEE U.S., LLC,**

Defendants.

ORDER

This Matter comes before the Court on the Defendant's Renewed Request for the Court to Rule on the Defendant's Pending Summary Judgment Motion Regarding Counterfeiting Damages (Doc. 393), the Plaintiff's Response (Doc. 403), and the Defendant's Reply (Doc. 416).

Shaklee's "Renewed Request for the Court to Rule on Shaklee's Pending Summary Judgment Motion Regarding Counterfeiting Damages" is **DENIED** as moot. There is no pending motion for summary judgment, nor was there at the time Shaklee filed its "Renewed Request." Shaklee asks the Court to address the counterfeiting claims *sua sponte*, because "Superior . . . may again appeal this Court's ruling that Superior abandoned any right to seek statutory damages." Doc. 393 at 2. The Court declines to do so, as the Court already dealt with the question of statutory damages in its June 28, 2018 Order. Doc. 339.

DONE and **ORDERED** in Chambers, Orlando, Florida on February 25, 2019.




GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Party