

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

FILED

17 JAN 24 PM 2:15

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: AD
DEPUTY CLERK

**ALLIED LOMAR, INC.,
Plaintiff,**

-vs-

Case No. A-14-CA-1078-SS

**LONE STAR DISTILLERY, LLC d/b/a Garrison
Brothers Distillery; and DOES 1 THROUGH 10,
Defendants.**

JUDGMENT

BE IT REMEMBERED on January 9, 2017 this case was called for trial and a jury of seven legally and qualified jurors were empaneled, and the case proceeded to trial and, when the plaintiff Allied Lomar, Inc. rested its case, the defendant Lone Star Distillery, LLC filed its Motion for Judgment as a Matter of Law and the Court took the same under advisement, and the case proceeded to trial and, when Lone Star Distillery, LLC rested and both parties closed, both Allied Lomar, Inc. and Lone Star Distillery, LLC filed Motions for Judgment as a Matter of Law, and the Court denied some grounds and took other grounds under advisement and, thereafter, the case was presented to the jury by instructions and questions, and the jury made findings, answered questions, and returned its verdict on January 11, 2017 and based upon pleadings, evidence, trial record, jury verdict, and the governing law, the Court enters the final judgment:

IT IS ORDERED, ADJUDGED, and DECREED that Allied Lomar, Inc. TAKE NOTHING in this suit against Lone Star Distillery, LLC d/b/a Garrison Brothers Distillery, LLC d/b/a Garrison Brothers Distillery.

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IT IS FURTHER ORDERED, ADJUDGED, and DECREED that trademark No. 2,777,811 for "Cowboy Little Barrel" registered October 28, 2003 issued to Allied Lomar, Inc. for bourbon whiskey and Class 33 (U.S.Cls. 47 and 49) has been abandoned and it is no longer valid.

The Court declines to find that this case is an exceptional case entitling any party to recovery reasonable attorney's fees under 15 U.S.C. § 1117(a).

IT IS FINALLY ORDERED, ADJUDGED, and DECREED that all costs are taxed to Allied Lomar, Inc. for which let execution issue.

SIGNED this the 24th day of January 2017.


UNITED STATES DISTRICT JUDGE