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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

BENNION & DEVILLE FINE
HOMES, INC., a California
corporation, BENNION & DEVILLE
FINE HOMES SOCAL, INC., a
California corporation, WINDERMERE
SERVICES SOUTHERN
CALIFORNIA, INC., a California
corporation,

Plaintiffs,

v.

WINDERMERE REAL ESTATE
SERVICES COMPANY, a Washington
corporation; and DOES 1-10

Defendant.

Case No. 5:15-CV-01921 R (KKx)

Hon. Manuel L. Real

**[PROPOSED] ORDER GRANTING
WINDERMERE REAL ESTATE
SERVICES COMPANY'S MOTION
FOR PARTIAL SUMMARY
JUDGMENT**

Date: October 19, 2016

Time: 10:00 a.m.

Courtroom: 8

AND RELATED COUNTERCLAIMS

1 **[PROPOSED] ORDER**

2 Defendant and Counterclaimant Windermere Real Estate Services Company’s
3 (“WSC”) Motion for Partial Summary Judgment as to Plaintiffs Bennion & Deville
4 Fine Homes, Inc., Windermere Services Southern California, Inc., and Bennion &
5 Deville Fine Homes SoCal, Inc. First, Second, Third, Fourth, Fifth, Sixth, and
6 Seventh Claims for Relief came on for hearing before this Court on October 17,
7 2016. All parties were represented by counsel as noted on the record.

8 After full consideration of the papers submitted by the parties, the arguments
9 of counsel, the evidence presented, and all judicially noticeable materials, IT IS
10 HEREBY ORDERED THAT WSC’s Motion for Partial Summary Judgment is
11 **GRANTED** and WSC is entitled to judgment as a matter of law on the First
12 Amended Complaint’s First Cause of Action, the claims set for in paragraphs 151(a)
13 and (b), Second Cause of Action, the claims set forth in paragraphs 158(a) and (b),
14 Third Cause of Action, the claims set forth in paragraphs 163(b), (c), (d), and (i), the
15 Fourth Cause of Action, the claims set forth in paragraph 170(a), the Fifth Cause of
16 Action, the claims set forth in paragraphs 175(a) and (b), the Sixth Cause of Action,
17 the claims set forth in paragraphs 181(a) and (e), and the Seventh Cause of Action in
18 its entirety.

19 **IT IS SO ORDERED.**

20
21
22 DATED: _____

Hon. Manuel L. Real
United States District Judge