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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA, SAN DIEGO DIVISION

COLLAGEN NUTRACEUTICALS, INC. }
A California Corporation, }

Plaintiffs, }

CASE NO: 3:09-CV-02188-DMS-WVG

vs.

JUDGMENT

NEOCELL CORPORATION, a California }
Corporation; FATMA BOUKHARI, an }
individual; AKRAM QUADRI, an }
individual; SARAH QUADRI, an }
individual; DARREN RUDE, an }
individual; MICHAEL NASSAR, an }
individual dba MFN }
PHARMACEUTICAL CONSULTING }
SERVICES, and DOES 1-20, }

Defendants. }

Honorable Dana M. Sabraw
Courtroom 10

NEOCELL CORPORATION, a California }
corporation, }

Counterclaimant, }

vs.

COLLAGEN NUTRACEUTICALS, INC. }
a California Corporation; AHMAD }
ALKAYALI, an individual, and ROES 1- }
10, inclusive, }

Counterclaim Defendants. }

The above-entitled matter came on regularly for trial on May 16, 2011, in
Courtroom 10 of the United States District Court, Southern District of California,

Case 3:09-cv-02188-DMS -WVG Document 116 Filed 06/07/11 Page 2 of 4

1 the Honorable Dana M. Sabraw presiding. Plaintiff and Counterclaim Defendant
2 COLLAGEN NUTRACEUTICALS, INC., a California corporation ("Plaintiff" or
3 "Collagen") and Counterclaim Defendant AHMAD ALKAYALI ("Alkayali")
4 appeared by and through their attorneys, Edward F. O'Conner and Travis Burch of
5 the Eclipse Group. Defendant MICHAEL NASSAR, an individual d.b.a. MFN
6 CONSULTING SERVICES appeared by and through his attorney, Steven C.
7 Smith of Smith | Campbell | Clifford | Kearney | Gore ("SCCKG"). Defendant and
8 Counterclaimant NEOCELL CORPORATION, Inc., a California corporation
9 ("NEOCELL") and Defendants FATMA BOUKHARI, SARAH QUADRI,
10 AKRAM QUADRI and DARREN RUDE appeared by and through their attorneys
11 John S. Clifford and Mark T. Kearney of SCCKG.

12 A jury of 8 persons was regularly impaneled and sworn for trial. Witnesses
13 were sworn and testified, and evidence was introduced and admitted.

14 After Plaintiff was fully heard, and upon motion by the Plaintiff, Defendant
15 FATMA BOUKHARI was ordered dismissed from the action.

16 After Plaintiff was fully heard, prior to the matter being submitted for
17 decision to the jury and upon motion made pursuant to Federal Rule of Civil
18 Procedure (50)(a) by Defendants AKRAM QUADRI, DARREN RUDE, SARAH
19 QUADRI and MICHAEL NASSAR, an individual dba MFN CONSULTING
20 SERVICES (collectively the "Individual Defendants"), the Court granted judgment
21 as a matter of law as against Plaintiff and in favor of the Individual Defendants.

22 After hearing the evidence and arguments of counsel, the jury was instructed
23 by the Court and the matters being tried were submitted to them with directions to
24 return a verdict on special issues.

25 **NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND**
26 **DECREED** that, by reason of the jury's special verdict and by reason of further
27 findings of this Court, judgment is hereby entered in favor of Defendant
28

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1 NEOCELL CORPORATION and against Plaintiff COLLAGEN
2 NUTRACEUTICALS, Inc. as to all of Plaintiff's claims.

3 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, by
4 reason of the jury's special verdict and by reason of further findings of this Court,
5 judgment is hereby entered in favor of Defendant and Cross-claimant NEOCELL
6 and against Counterclaim Defendant AHMAD ALKAYALI on NEOCELL'S
7 cause of action for Breach of Fiduciary Duty and cause of action for Breach of
8 Contract.

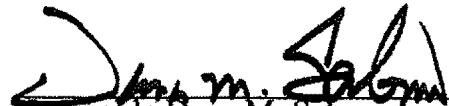
9 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, by
10 reason of the jury's special verdict and by reason of further findings of this Court,
11 judgment is hereby entered in favor of Defendant and Cross-claimant NEOCELL
12 and against Ahmad Alkayali in the amount of forty-nine thousand, five-hundred
13 and forty dollars and fifty cents (\$49,544.50).

14 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, by
15 reason of the jury's special verdict finding, by clear and convincing evidence, and
16 by reason of further findings of this Court, Alkayali and/or Collagen is determined
17 to have committed fraud in procuring registration of the Reversitall Mark,
18 U.S.P.T.O. application number 20080260935 (the "TRADEMARK"). NeoCell is
19 determined to be the owner of the TRADEMARK. Further, by reason of the
20 jury's special verdict and by reason of further findings of this Court, judgment is
21 hereby entered in favor of Defendant and Cross-claimant NEOCELL and against
22 Alkayali and Collagen, jointly and severally, assigning the TRADEMARK and all
23 rights thereto to NeoCell and determining NEOCELL to be the owner of the
24 TRADEMARK, with the records and registration with the U.S.P.T.O. for and
25 pertaining to the TRADEMARK to be amended and revised in accordance with
26 this Judgment.

27 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that
28 Defendants MICHAEL NASSAR, an individual d.b.a. MFN CONSULTING

1 SERVICES, NEOCELL, FATMA BOUKHARI, SARAH QUADRI, AKRAM
 2 QUADRI and DARREN RUDE, as prevailing parties are entitled to their costs
 3 under Fed.R.Civ.P. 54. Defendants shall follow Civil Local Rule 54.1 to recover
 4 those costs.

5 Dated: June 7, 2011



Honorable Dana M. Sabraw
 United States District Court

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