

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

ENCORE TECHNOLOGY GROUP, LLC,

Plaintiff,

vs.

KEONE TRASK and CLEAR TOUCH  
INTERACTIVE, INC., f/k/a CLEAR  
TOUCH INTERACTIVE, LLC,

Defendants.

IN THE COURT OF COMMON PLEAS

Case No. 2015-CP-23-05757

**ORDER DENYING DEFENDANTS'  
RULE 59 MOTION FOR  
RECONSIDERATION**

**RECEIVED**

AUG 03 2018

SC Court of Appeals

This matter came before the Court for a hearing upon Defendants Keone Trask's and Clear Touch Interactive, Inc. f/k/a Clear Touch Interactive, LLC's ("Defendants") Rule 59 Motion for Reconsideration of the Court's Final Order and Judgment in this case entered April 2, 2018 (the "Order"). The motion was heard by the Court on June 12, 2018. Counsel for all parties were present.

Upon reviewing the record, the evidence, and the applicable law and considering arguments of counsel, I find that Defendants' motion should be denied. Specifically:

1. Defendants' motion to reconsider and reduce the award of attorneys' fees to Plaintiff is denied. The Court considered all factors and determined the amount of attorneys' fees requested by Plaintiff was reasonable.

2. Defendants' motion to reconsider the Order denying their motion to stay execution of the judgment is denied. The intent of the Court in denying the motion to stay was to explain its rationale and not create law of the case by its findings.

3. Defendants' motion to reconsider the Order regarding the election of remedies is denied. The judgment entered by the Court included all appropriate elections based upon the arguments and evidence presented at trial.

4. Defendants' motion to reconsider the denial of a new trial because of Plaintiff's failure to disclose testimony pursuant to Rule 26(e) regarding Defendant Trask and the destruction of evidence is denied.

5. All other motions associated with Defendants' motion for reconsideration are denied for the reasons set forth in the Order.

**IT IS SO ORDERED.**



Greenville Common Pleas

**Case Caption:** Encore Technology Group LLC vs. Keone Trask , defendant, et al  
**Case Number:** 2015CP2305757  
**Type:** Order/Other

S/R. LAWTON McINTOSH

S/R.LAWTON McINTOSH

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