

- B. IT IS THEREFORE ORDERED, ADJUDGED, and DECLARED that Section 102.75(a)(7) of the Texas Alcoholic Beverage Code violates the Due Course of Law guarantees of Article I, Section 19 of the Texas Constitution.
- C. IT IS FURTHER ORDERED, ADJUDGED AND DECLARED that Defendants, their employees, agents, and successors are permanently enjoined from enforcing Section 102.75(a)(7) of the Texas Alcoholic Beverage Code against Plaintiffs and all other producers of beer, ale, and malt liquor.
2. IT IS ORDERED that Defendants Texas Alcoholic Beverage Commission and Sherry Cook's Traditional and No-Evidence Motion for Summary Judgment is GRANTED in part and DENIED in part.
- A. IT IS ORDERED that Defendants' Motion for Summary Judgment on Plaintiffs' claim for a declaratory judgment that Section 102.75(a)(7) of the Texas Alcoholic Beverage Code violates the Takings Clause of Article I, Section 17 of the Texas Constitution is GRANTED.
- B. IT IS THEREFORE ORDERED, ADJUDGED, and DECLARED that Plaintiffs' claim for a declaratory judgment that Section 102.75(a)(7) of the Texas Alcoholic Beverage Code violates the Takings Clause of Article I, Section 17 of the Texas Constitution is DISMISSED with prejudice.
- C. IT IS ORDERED that Defendants' Motion for Summary Judgment on Plaintiffs' claim for attorney's fees is GRANTED.
- D. IT IS THEREFORE ORDERED, ADJUDGED, and DECREED that Plaintiff's request for attorney's fees is DISMISSED with prejudice.

All relief not expressly granted herein is DENIED.

This Final Judgment disposes of all parties and all claims pending before the Court. It is, therefore, a final and appealable judgment.

Signed on this 25th day of August, 2016.



JUDGE PRESIDING
KARIN CRUMP