

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL  
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2020-010773-CA-01

SECTION: CA22

JUDGE: Beatrice Butchko

**VENTURE INVESTMENT GROUP II LLC**

Plaintiff(s)

vs.

**NURISH ME INC**

Defendant(s)

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**SUMMARY FINAL JUDGMENT**

THIS MATTER having come before this Court on June 15, 2022, on Motion for Summary Judgment as to Damages on Counts I and III of the Complaint filed by plaintiff, Venture Investment Group II, LLC (“Plaintiff”) against defendant, Nurish.me, Inc. (“Defendant”) filed April 18, 2022 (“Motion”). The Court has reviewed the Motion, along with the Declaration of Nichole Ibrahim and the Declaration of Plaintiff’s expert, Greg Kyle, the Undisputed Facts in Support of Plaintiff’s Motion for Summary Judgment as to Damages on Counts I and III of the Complaint, filed April 18, 2022, Defendant’s Response to Plaintiff’s Motion for Summary Judgment dated May 26, 2022 along with the Declaration of Daniel Schreiber attached thereto as Exhibit 2 (the “Schreiber Declaration”) filed May 26, 2022, the Plaintiff’s Response to Defendant’s Opposition to Plaintiff’s Motion for Summary Judgment and Motion to Strike the Declaration of Daniel Schreiber, filed June 13, 2022, and the court file. The Court considered the arguments of the parties during the hearing held June 15, 2022 and is otherwise fully advised.

The Court hereby grants the Motion for the reasons stated on the record during the hearing on June 15, 2022 (court reporter present) in accordance with Rule 1.510(a), and holds that there is no genuine dispute of material acts as to Count I and III of the Complaint for the following reasons:

A. Defendant failed to cite to particular parts of materials in the record establishing the presence of a genuine dispute of material fact.

B. The court strikes and excludes from consideration Daniel Schreiber's "expert opinion or so-called expert opinion" because Defendant failed to lay the foundation or show that the Schreiber Declaration set out facts that would be admissible in evidence, or that Daniel Schreiber is competent to testify on the matters stated in the Schreiber Declaration, as required by 1.510(c)(4), Florida Rules of Civil Procedure.

Accordingly, the Court hereby ORDERS and ADJUDGES that Final Judgment is entered in favor of plaintiff, **Venture Investment Group II, LLC**, 152 N.E. 167<sup>th</sup> Street, #500, Miami, Florida 33162, and against **Nurish.me, Inc.**, in the principal sum of **\$7,889,660.70**, which shall accrue interest at the statutory rate, for which sum let execution issue.

**DONE and ORDERED** in Chambers at Miami-Dade County, Florida on this 17th day of June, 2022.



2020-010773-CA-01 06-17-2022 2:10 PM

Hon. Beatrice Butchko

**CIRCUIT COURT JUDGE**

Electronically Signed

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

**Electronically Served:**

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