

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED  
2011 DEC 19 PM 12:24  
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BY \_\_\_\_\_

AUTHENTIC BEVERAGES COMPANY, INC.,  
Plaintiff,

-vs-

Case No. A-10-CA-710-SS

TEXAS ALCOHOLIC BEVERAGE  
COMMISSION,  
Defendant.

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J U D G M E N T

BE IT REMEMBERED on this day the Court entered an order in the above-styled cause, granting in part and denying in part the parties' cross-motions for summary judgment.

Accordingly,

IT IS ORDERED, ADJUDGED, and DECREED that Texas Alcoholic Beverage Code Section 108.01(a)(4) is an unconstitutional restriction on free speech, in violation of the First Amendment;

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Texas Administrative Code, Title 16, Sections 45.77, 45.79(f), 45.82(f), 45.90, and 45.110(c)(3) are unconstitutional restrictions on free speech, in violation of the First Amendment;



IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Defendants are ENJOINED from enforcing any of the above-listed unconstitutional regulations, or any other provision of Texas law inconsistent with the opinion contemporaneously filed with this judgment;

IT IS FINALLY ORDERED, ADJUDGED, and DECREED that Defendant Texas Alcoholic Beverage Commission shall bear all costs of suit, for which let execution issue.

SIGNED this the 19<sup>th</sup> day of December 2011.

  
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SAM SPARKS  
UNITED STATES DISTRICT JUDGE