## STATEMENT OF LEGAL ISSUES

I.

**WHETHER THE TRIAL COURT ERRED IN DENYING CLARINS A JURY TRIAL?**

The Trial Court denied Clarins a jury trial.

II.

**WHETHER THE TRIAL COURT ERRED IN DECREEING THAT CLARINS WILLFULLY KNOWINGLY AND IN BAD FAITH VIOLATED COVENANTS?**

The Trial Court held that the Clarins willfully, knowingly and in bad faith

III.

**WHETHER THE TRIAL COURT ERRED IN REJECTING CLARINS' AFFIRMATIVE DEFENSES?**

The Trial Court held that Clarins affirmative defenses were not applicable.

IV.

**WHETHER THE TRIAL COURT ERRED IN DISMISSING CLARINS COUNTERCLAIM?**

The Trial Court denied Clarins Counterclaims.

V.

**WHETHER THE TRIAL COURT ERRED IN GRANTING A MANDATORY INJUNCTION?**

The Trial Court granted a mandatory injunction.

VI.

WHETHER THE TRIAL COURT ERRED IN REQUIRING CLARINS TO COMPLY WITH ITS MANDATORY INJUNCTION BEFORE REQUIRING ASSOCIATION TO TURN OVER CLARINS INSURANCE PROCEEDS?

The Trial Court refused Clarins' request to return insurance proceeds.

VII.

**WHETHER THE TRIAL COURT ERRED IN GRANTING GARY REIMNITZ' WITNESS FEES?**

The Trial Court granted Gary Reimnitz travel, lodging and meal expenses.

VIII.

**WHETHER ASSOCIATION MAY ASSESS CLARINS FOR ASSOCIATION'S LEGAL FEES?**

The Trial Court did not rule, allowing Association to continue to assess Clarins