

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**ZEST LABS, INC. formerly known as
INTELLEFLEX CORPORATION and
ECOARK HOLDINGS, INC.**

PLAINTIFFS

V.

4:18CV500 JM

**WAL-MART INC. formerly known as
WAL-MART STORES INC.**

DEFENDANT

JUDGMENT ON JURY VERDICT

This action came on for trial March 29, 2021, before the Court and a jury, the Honorable James M. Moody Jr., United States District Judge presiding.

The issues having been duly tried, and after deliberating thereon, the jury returned a verdict on April 9, 2021. The jury found in favor of Plaintiffs Zest Labs, Inc. formerly known as Intellex Corporation (“Zest Labs”) and Ecoark Holdings, Inc. (“Ecoark”) on the claim of misappropriation of a trade secret against Defendant Wal-Mart Inc. formerly known as Wal-Mart Stores Inc. (“Wal-Mart”). The jury awarded Zest Labs and Ecoark \$60,000,000.00 in compensatory damages to be paid by Wal-Mart. The jury awarded exemplary damages to Zest Labs and Ecoark against Wal-Mart in the amount of \$50,000,000.00. The jury found in favor of Zest Labs and Ecoark on the claim of breach of the 2015 Nondisclosure Agreement. The jury awarded Zest Labs and Ecoark \$5,000,000.00 in damages to be paid by Wal-Mart. All damages will accrue interest from this date at the rate of 0.06% per annum until the date paid.

The jury found in favor of Zest Labs and Ecoark on Wal-Mart’s counterclaim for breach of the 2018 Statement of Work.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that Judgment be

entered in favor of Plaintiffs Zest Labs and Ecoark. The Clerk is directed to close the case.

Dated this 13th day of April, 2021.


UNITED STATES DISTRICT JUDGE