

CIVIL MINUTES

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

HONORABLE PAUL C. HUCK 9:05 - 9:08

Date & Time: 12-21-20

CASE NO. 10 cv 24283

Clerk: Evelyn Williams

Court Reporter: Patricia Sanders

Title of Case: Stevo Design

vs.

Brandon Link

Plaintiff's Attorney:

Rachel Lamontagne & Steve Edminston
Mark V. Jurdan

Defendant's Attorney:

N/A

Reason for Hearing:

TRO

Result of Hearing:

The TRO was granted and show cause hearing set for Dec. 30.

Misc.

Case Continued to:

Time:

For:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 1:10-cv-24283-PCH

STEVO DESIGN, INC., a Florida corporation,

Plaintiff,

v.

BRANDON LINK, an individual,
d/b/a "therealbrandonlang.com"

Defendant.

ORDER GRANTING PLAINTIFF'S ^{pett} ~~EX PARTE~~ MOTION
FOR TEMPORARY RESTRAINING ORDER

THIS MATTER, having come before the Court upon the motion of the plaintiff for entry of a temporary restraining order, on an *ex parte* basis, and the Court having considered:

- (1) Plaintiff's Complaint and Motion for *Ex Parte* Temporary Restraining Order;
- (2) Declaration of Steve Budin;
- (3) The response of Defendant, if any;

And the Court ^{noting that defendant received notice of the hearing but failed to appear} having heard oral argument, and finding that the ~~Ex Parte~~ Temporary Restraining Order should be entered, and having determined that:

- 1. Under FRCP 65, plaintiff Stevo Design, Inc. ("Stevo Design") has demonstrated a substantial likelihood of success on the merits of its claims;
- 2. The rights of Stevo Design with respect to its trademark BRANDON LANG (the "Mark") are being and will continue to be violated by the defendant unless defendant is restrained therefrom;

3. Stevo Design will suffer irreparable harm and loss if the defendant is permitted to continue to use the Mark;

4. Steve Design has no adequate remedy at law;

5. Greater injury will be inflicted upon Stevo Design by the denial of temporary injunctive relief than would be inflicted upon the defendant by the granting of such relief;

6. The public interest would be served by the issuance of an *ex parte* temporary restraining order, and it is thereby

ORDERED that the ~~Ex Parte~~ Temporary Restraining Order is hereby issued immediately, and it is further

ORDERED that the defendant is hereby immediately enjoined and restrained, directly or indirectly, whether alone or in concert with others, including any officer, agent, representative and/or employee of defendant, until this Court has entered an order following conclusion of the show cause hearing being scheduled by this Court, from using the Mark in connection with the advertising, promotion, marketing or sale of sports handicapping services or any confusingly similar variation thereon, whether by words, symbols, statements, or via internet domain names, including but not limited to the domain names "therealbrandonlang.com" and "eddiromanwins.com," and it is further


ORDERED that this ~~Ex Parte~~ Temporary Restraining Order shall remain in full force and effect until such time as this Court specifically orders otherwise; and it is further

ORDERED that plaintiff is granted leave to commence discovery, including depositions, immediately; and it is further

ORDERED that the defendant shall appear and show cause before the Honorable Paul C. Huck of this Court on the 30th day of December, 2010, at 11:00 AM o'clock

a.m./p.m., or at such other time as the Court may order, why a Preliminary Injunction should not be ordered according to the terms and conditions set forth above.

DONE AND ORDERED in Chambers at Miami, Florida, this 21st day of December, 2010.



The Honorable Paul C. Huck
United States District Court Judge

Copies furnished to:
Counsel / Parties