

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

HARLEY-DAVIDSON MOTOR)
COMPANY, INC., and H-D)
MICHIGAN, LLC,)

Plaintiffs,)

v.)

ELWORTH'S HARLEY-DAVIDSON)
SALES & SERVICE, INC., and)
GREGORY J. ELWORTH,)

Defendants.)

ELWORTH'S HARLEY-DAVIDSON)
SALES & SERVICE, INC., and)
GREGORY J. ELWORTH,)

Counterclaim-)
Plaintiffs,)

HARLEY-DAVIDSON MOTOR)
COMPANY, INC.,)

Counterclaim-)
Defendants.)

8:10CV86

PRELIMINARY INJUNCTION

Pursuant to the memorandum opinion entered herein this
date,

IT IS ORDERED:

1) Plaintiffs' motion for a preliminary injunction is
granted;

2) Subject to plaintiffs posting the bond, defendants,
their employees, agents, partners, officers, directors, owners,
shareholders, principals, subsidiaries, related companies, and

all person in active concert or participation with any of them are preliminarily enjoined and restrained

a) from using the Harley-Davidson Trademarks, and any other trademarks and logos that are confusingly similar to those marks, in any unauthorized manner including, but not limited to, on indoor and outdoor signage, banners, flags, floor mats, decals, advertising and promotional materials, posters, displays, fixtures, business cards, letterhead, stationary, forms, clothing and apparel, websites, and trailers, as business names, as domain names, as e-mail addresses, as URLs, as metatags, or as any other identifiers; and

b) from representing by any means whatsoever, directly or indirectly, that defendants, any products or services offered by defendants, or any activities undertaken by defendants are associated or connected in any way with Harley-Davidson, including continuing to represent or imply that Elworth's is still an authorized Harley-Davidson dealer;

3) Pursuant to Federal Rule of Civil Procedure 65(c), this injunction shall become effective upon plaintiff posting a security bond in the amount of \$75,000.

DATED this 8th day of April, 2010.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court