

1 MEGAN E. GRAY (SBN 181204)
 2 GRAY MATTERS
 3 2017 Kalorama Road NW, Suite 3
 4 Washington, DC 20009
 5 Telephone: (202) 265-2738
 6 Facsimile: (202) 280-1225
 7 Email: mg@megangray.com

8 Attorneys for Plaintiff
 9 M.M.P., INC.

10 UNITED STATES DISTRICT COURT
 11 CENTRAL DISTRICT OF CALIFORNIA

12 M.M.P., INC., a California corporation,
 13 Plaintiff,

14 v.

15 LEYENDECKER LOS ANGELES, LLC
 16 a California corporation, JESSICA
 17 MOSS, an individual, LISA
 18 GUARJARDO, an individual, VARUN
 19 TEXTILES INC., a California
 20 corporation, BOP, LLC, a Wisconsin
 21 corporation, EMINENT, INC., a
 22 California corporation, DV RETAIL,
 23 INC., a New York corporation, THE
 24 NEIMAN MARCUS GROUP, INC., a
 25 Texas corporation, OTTE, INC., a New
 26 York corporation, RON HERMAN,
 27 INC., a California corporation, SAKS
 28 DIRECT INC., a New York corporation,
 THE TJX COMPANIES, INC., a
 Massachusetts corporation, and GILT
 GROUP INC., a New York corporation.

Defendants.

Case No.: CV-10-9340 JAK (PLA)

**CONSENT JUDGMENT as to
 Defendants Leyendecker, Moss, and
 Guarjardo (JS-6 Only)**

1 Plaintiff M.M.P., Inc. (“Plaintiff”) and Defendants Leyendecker Los Angeles,
2 LLC, Jessica Moss, and Lisa Guarjardo ("Defendants") hereby stipulate to the entry of
3 Judgment as set forth below, there having been no adjudication of the issues, it is
4 hereby:

5 **ORDERED, ADJUDGED, AND DECREED THAT:**

6 1. This Court has jurisdiction over the parties to this action and over the
7 subject matter hereof pursuant to 17 U.S.C. § 501, and 28 U.S.C. §§ 1331, 1332, 1338
8 and 1367. This Consent Judgment binds defendant(s), their servants, employees,
9 subsidiaries, and successors-in-interest. Likewise, Plaintiff’s interest in this Consent
10 Judgment may be assigned, permitting any successor-in-interest to enforce these
11 provisions.

12 2. Plaintiff is the owner of the following copyrighted designs: MMP's
13 design number SAP0800064, which has copyright registration number VA-1-694-742,
14 and design number AM085, which has copyright registration number VA-1-683-873S,
15 as attached as exhibits to the Complaint (collectively referred to as the “Copyrighted
16 Designs”).

17 3. As of the date of this Order, Defendants, and each of its officers,
18 directors, shareholders, successors and assigns, agents, employees, and all persons in
19 active concert or participation with any of them, be permanently enjoined and
20 restrained from, directly or indirectly, infringing the above-described Copyrighted
21 Designs of MMP in any manner, including generally, but not limited to reproducing,
22 adapting, and/or displaying the Copyrighted Designs by manufacturing, distributing,
23 advertising, selling, and/or offering for sale any merchandise that infringes said
24 Copyrighted Designs, and specifically:

25 (i) Manufacturing, distributing, selling, and/or offering for sale
26 said products or any other unauthorized products that picture, reproduce, adapt or
27
28

1 display any design that bears a substantial similarity to MMP's Copyrighted Designs;
2 or

3 (ii) Manufacturing, distributing, selling, or offering for sale or in
4 connection thereto any unauthorized promotional materials, labels, packaging, or
5 containers that picture, reproduce, adapt, or display any design that bears a substantial
6 similarity to MMP's Copyrighted Designs;

7 4. Defendants are required to effect the recall, removal, and return from
8 commercial distribution and/or public display of:

9 (a) Any merchandise that pictures, reproduces, copies, adapts, or
10 displays designs that bear a substantial similarity to MMP's Copyrighted Designs;

11 (b) Any promotional and advertising material labels, packages,
12 wrappers, containers, and any other unauthorized items that reproduces, copies,
13 adapts, or displays designs that bear a substantial similarity to MMP's Copyrighted
14 Designs;

15 (c) Any molds, screens, patterns, plates, or negatives used specifically
16 for making or manufacturing products with designs that picture, reproduce, copy, or
17 bear a substantial similarity to MMP's Copyrighted Designs; and

18 5. Each party shall bear its own attorneys' fees and costs, except as provided
19 in the parties' Settlement Agreement.

20 6. This Court shall retain jurisdiction to resolve any dispute among the
21 parties hereto, including any dispute relating to the parties' Settlement Agreement or
22 this Final Judgment By Consent.

23 7. The Court expressly determines that there is no just reason for delay and
24 therefore the Court expressly directs that judgment be entered as to these Defendants.

25 **IT IS SO ORDERED.**

26
27 DATED: September 23, 2011



28

U.S. District Judge Kronstadt

1
2 **IT IS HEREBY STIPULATED** between Plaintiff MMP and Defendants
3 Leyendecker Los Angeles, LLC, Jessica Moss, and Lisa Guarjardo that Judgment
4 shall be entered as set forth above.

5 DATED:

GRAY MATTERS

6
7 _____
8 Megan E. Gray
9 Attorney for Plaintiff
10 MMP, Inc.

11 DATED:

LAW OFFICE OF DAVID ERIKSON

12 _____
13 David Erikson
14 Attorneys for Defendants
15 Leyendecker Los Angeles, LLC, Jessica
16 Moss, and Lisa Guarjardo

17 **CONSENT IS HEREBY GIVEN** to the entry of Judgment as set forth above.

18 Dated:

M.M.P., INC.

19 By: _____

Gilit Roshan

20 Dated:

LEYENDECKER LOS ANGELES, LLC

21 By: _____

Jessica Moss, President

22 Dated:

JESSICA MOSS (an individual)

23 By: _____

Jessica Moss

24 Dated:

LISA GUARJARDO (an individual)

25 By: _____

Lisa Guarjardo