

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

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Case No. 2:16-cv-06148-CAS(MRWx) Date August 22, 2016

Title ISLE OF CAPRI CASINOS, INC. V. LARRY FLYNT ET AL.

Present: The Honorable CHRISTINA A. SNYDER

Catherine Jeang

Not Present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings:** (IN CHAMBERS) PLAINTIFF’S EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE: PRELIMINARY INJUNCTION (Dkt. 9, filed August 16, 2016)

(IN CHAMBERS) PLAINTIFF’S EX PARTE MOTION FOR LEAVE TO CONDUCT EXPEDITED DISCOVERY (Dkt. 19, filed August 17, 2016)

Plaintiff filed the instant ex parte application for a temporary restraining order and order to show cause why a preliminary injunction should not issue on August 16, 2016 (“Application”), and the defendants filed an opposition on August 17, 2016. Plaintiff filed their reply on August 22, 2016. Dkt. 30. On August 17, 2016, plaintiff filed a motion for leave to conduct expedited discovery. The defendants filed an opposition to plaintiff’s discovery motion on August 18, 2016. Having carefully reviewed and considered the parties’ arguments as well as plaintiff’s motion for expedited discovery, the Court finds and concludes as follows.

**IT IS HEREBY ORDERED:**

- (1) The Court **DENIES** the temporary restraining order.
- (2) The Court **GRANTS** in part and **DENIES** in part plaintiff’s motion for leave to conduct expedited discovery as follows. The Court **GRANTS** plaintiff’s motion to conduct expedited discovery as set forth in request numbers 4, 5, 6, and 10 of Exhibit A to plaintiff’s motion. The defendants are ordered to produce those requested documents by September 12, 2016.

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The Court **GRANTS** plaintiff's motion to conduct a Federal Rule of Civil Procedure 30(b)(6) deposition as described in Exhibit B to their motion, to be conducted no later than 10 days after defendants' production of the aforementioned discovery is complete. All other requests to conduct expedited discovery contained in plaintiff's motion are **DENIED** without prejudice.

- (3) The Court sets a hearing on the Order to Show Cause Why Preliminary Injunction Should Not Issue for September 26, 2016 at 10:00 am, and directs defendants to show cause:
- a. Why they should not be enjoined from displaying, employing, advertising, and marketing their casino using the phrase "LUCKY LADY" in any advertisements, websites, promotions, labels, signs, uniforms, brochures, social media, gaming equipment, supplies, merchandise, or for other materials; and
  - b. Why they should not be enjoined from applying for registration of any mark containing the terms LUCKY LADY or LADY LUCK, or any formative thereof, or any confusingly similar mark, in connection with any casino services, slot machine games, gaming equipment, playing cards, clothing, merchandise, restaurants, hotel services, bar services, or any other goods or services related to casino services.
- (4) Defendants are directed to file any further opposition to plaintiff's Application for an Order to Show Cause Re: Preliminary Injunction on or before September 5, 2016. Plaintiff shall file any further reply no later than 12:00 a.m. on September 12, 2016.

IT IS SO ORDERED.

Initials of Preparer	_____	:	_____
			CMJ