



1 **ORDER**

2 Upon stipulation of Plaintiff SCAN Health Plan (“SCAN”) and Defendant  
3 Giovanni Cruz (“Cruz”) (collectively, the “Parties”), the Court hereby GRANTS  
4 the Parties’ submitted Stipulated Injunction Relating to Defendant Giovanni Cruz  
5 (the “**Stipulated Injunction**”). IT IS HEREBY ORDERED AS FOLLOWS:

6 1. This Court has personal and subject matter jurisdiction over the  
7 Parties.

8 2. Cruz (and any other person or entity acting at his direction, under his  
9 control, or on his behalf, who receive actual notice of this Order and Stipulated  
10 Injunction by personal service or otherwise) is permanently enjoined from using,  
11 for any purpose, any of SCAN’s confidential business information, including but  
12 not limited to (i) information concerning, relating to, or constituting SCAN’s trade  
13 secrets; (ii) the identification, contact information, or personal information of  
14 SCAN’s customers or prospective customers; (iii) any information maintained or  
15 stored in any electronic database by SCAN directly or indirectly, (iv) any other  
16 information of commercial value received from SCAN directly or indirectly;  
17 and/or (v) all types of information set forth in 18 U.S.C. § 1839(3), Cal. Penal  
18 Code § 499c(a)(9), Cal. Civil Code § 3426.1(d), and/or Cal. Evidence Code §  
19 1061(a)(1) (collectively, “**SCAN’s Confidential Business Information**”).


20 3. No later than 30 days after the filing of the Stipulated Injunction by a  
21 Party, Cruz shall provide written certification attesting that Cruz (and all other  
22 persons or entities acting at his direction, under his control, or on his behalf) has  
23 returned, destroyed, or otherwise does not and will not have any access whatsoever  
24 to any of SCAN’s Confidential Business Information (or its duplicates or  
25 derivatives), and providing a detailed narrative of the manner in which Cruz  
26 destroyed, returned, or otherwise ensured that he does not and will not have any  
27 such access. Within 7 days after the later of (a) the entry of the Stipulated  
28 Injunction and (b) SCAN’s receipt of a satisfactory certification from Cruz in

1 accordance with this Paragraph 3, SCAN will dismiss Cruz without prejudice from  
2 the Lawsuit. If Cruz's certification fails to satisfy the requirements of this  
3 Paragraph 3, SCAN will meet and confer with Cruz or his counsel to discuss what  
4 further assurances may be necessary.

5 4. This Court will retain jurisdiction over this action and over the Parties  
6 in order to enforce the terms of the Stipulated Injunction.

7 IT IS SO ORDERED.

8  
9 DATED: July 2, 2020

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11 UNITED STATES DISTRICT JUDGE

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