JS-6

## UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

11 INTERNATIONAL AUTOMOTIVE OVERSIGHT BUREAU,

Plaintiff,

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AMERICAN GLOBAL STANDARDS,

15 | INC., et al.,

Defendant.

Case No. 2:22-cv-08385-FLA-SSCx

ORDER APPROVING STIPULATED FINAL JUDGMENT AND PERMANENT INJUNCTION ON CONSENT [DKT. 45]

On March 15, 2024, Plaintiff International Automotive Oversight Bureau ("Plaintiff") and Defendants American Global Standards, Inc. and Stephen Keneally ("Defendants") filed a Final Judgment and Stipulated Permanent Injunction on Consent (the "Stipulated Final Judgment"). Dkt. 45.

The court, having reviewed the Stipulated Final Judgment, and finding good cause therefor, hereby ORDERS:

1. Defendants, including their predecessors, successors, subsidiaries, owners, parents, partners, joint ventures, affiliates, directors, stockholders, members, managers, officers, agents, servants, employees, attorneys, consultants, insurers, insureds, sureties, and all persons and entities acting in concert with or that are in privity with Defendants, are hereby permanently enjoined and restrained from

- (a) using the IATF 16949 certification mark on compliance certificates and/or in connection with Defendants' certification services; (b) from committing any acts of deceptive or unlawful trade practices calculated to cause members of the trade or purchasing public to believe that Defendants' certification services are approved by Plaintiff, or sponsored by or associated with, or related to, or connected with, or in some way endorsed or promoted by Plaintiff under the supervision or control of Plaintiff; and (c) assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs (a) and (b) above.
- 2. No later than ten (10) days from the date of this Order, Defendants shall remove and/or disable any and all references to IATF, IATF 16949 from their website located at http://www.americanglobal.org and any affiliated websites. Further, Defendants shall remove any and all reference to those companies that Defendant American Global Standards, Inc. previously certified as complying with the IATF 16949 standard, including but not limited to those that currently appear at: https://www.americanglobal.org/certified-company-operations/certified-international-companies-by-ags/.
  - 3. If one or both Defendants materially violate any of the terms of this Stipulated Final Judgment, there will be a rebuttable presumption that such violation, and any infringement associated with it, has been, and continues to be, willful. Also, it will be presumed that any such violation causes irreparable harm.
  - 4. Violations of this permanent injunction shall initially be referred to JAMS, for alternative dispute resolution. In the event of a violation of this permanent injunction, the United States District Court for the Central District of California shall have exclusive jurisdiction to enforce and adjudicate contempt of this permanent injunction.
    - 5. All deadlines governing this action are VACATED.

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6. The court DISMISSES the action without prejudice. The court retains jurisdiction to vacate this Order and to reopen the action within sixty (60) days from the date of this Order, provided any request by a party to do so shall make a showing of good cause as to why the settlement has not been completed within the 60-day period, what further settlement processes are necessary, and when the party making such a request reasonably expects the process to be concluded.

7. This Order does not preclude the filing of a stipulation of dismissal with prejudice pursuant to Fed. R. Civ. P. 41, which does not require approval of the court. Such stipulation shall be filed within the aforementioned 60-day period, or by such later date ordered by the court pursuant to a stipulation by the parties that conforms to the requirements of a showing of good cause stated above.

IT IS SO ORDERED.

Dated: March 26, 2024