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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ENTREPRENEUR MEDIA, INC., a
California corporation,

Plaintiff,

vs.

RIEVA LESONSKY d/b/a SMB
CONNECTS, an individual, MARIA
ANTON, an individual,
ALLBUSINESS.COM, INC., a
California corporation, and DOES 1
through 10, inclusive,

Defendants.

CASE NO. SACV 08-1066 DOC (ANx)

ORDER GRANTING JOINT
STIPULATION REGARDING
PRELIMINARY INJUNCTION
HEARING AND EXPEDITED
DISCOVERY

1 **ORDER**

2 Good cause appearing, the foregoing Joint Stipulation Regarding
3 Preliminary Injunction Hearing And Expedited Discovery is Approved. IT IS
4 HEREBY ORDERED THAT:

5 1. Defendants Rieva Lesonsky d/b/a SMB Connects, Maria Anton, and
6 AllBusiness.com (“Defendants”), their officers, agents, servants, employees, and
7 attorneys, and those persons in active concert or participation with them who
8 receive actual notice of the Order, shall:

9 a. Never publish a franchise list under, or otherwise use in
10 commerce, the phrase “Franchise 300,” or any other phrase confusingly similar to
11 EMI’s registered trademark Franchise 500®.

12 b. Refrain from publishing, publicizing, disseminating, or
13 otherwise disclosing any franchise ranking or list until the earlier of (1)
14 November 7, 2008, or (2) a ruling by this Court on EMI’s motion for preliminary
15 injunction.

16 2. EMI’s motion for preliminary injunction shall be heard on
17 November 5, 2008, at 10:00 a.m. in the Santa Ana Courthouse, Courtroom 9D.

18 3. In connection with EMI’s motion for preliminary injunction, EMI
19 shall submit its moving brief on October 29, 2008 (served by email), and
20 Defendants shall submit their opposition brief on November 4, 2008 (served by
21 email).

22 4. Discovery related to EMI’s trade secret claims regarding the
23 defendants’ franchise list and ranking, including obtaining information to be used
24 in connection with such list and ranking, shall commence immediately, and the
25 parties shall submit to expedited discovery as follows:

- 26 a. Rieva Lesonsky shall submit to deposition on 48 hours’ notice;
27 b. Maria Anton shall submit to deposition on 48 hours’ notice;
28 c. The person(s) most knowledgeable at AllBusiness.com

1 concerning the creation, promotion, calculation, marketing, selling, and/or
2 distribution of the franchise listing shall submit to deposition on 48 hours' notice;

3 d. The person(s) most knowledgeable at EMI concerning the
4 creation, promotion, calculation, marketing, selling, use and/or distribution of its
5 Franchise 500[®] listing and trade secrets shall submit to deposition on 48 hours'
6 notice;

7 e. Tracy Stapp shall submit to deposition on 48 hours' notice;

8 f. Emily Weisberg shall submit to deposition on 48 hours' notice;

9 g. Each party may depose up to two additional individuals, to the
10 extent discovery discloses that such other individuals have information relevant to
11 EMI's trade secret claims on 48 hours' notice;

12 h. The parties, upon filing of this Stipulation, shall immediately
13 work with each other to identify and disclose to each other's counsel the method
14 by which they calculate their respective rankings to assist counsel in this matter;

15 i. To the extent practical and possible, depositions shall be
16 alternated between one Plaintiff deponent and one Defendant deponent, seriatim on
17 the same day;

18 j. All depositions, Requests for Production of Documents, or
19 other expedited discovery as understood in this Section, commencing prior to
20 November 7, 2008, may be designated as confidential "Attorney's Eyes Only" (and
21 thus non-authorized people may not attend such depositions); and

22 k. The parties are permitted to immediately serve ten (10)
23 Requests for Production of Documents and Things, and responses to such Requests
24 for Production shall be served within five calendar (5) days of service. The
25 production of documents called for by such requests, and not subject to valid
26 objections, shall take place within three (3) calendar days of service of the
27 responses.

28 l. The parties may subsequently redepose these witnesses on other

1 topics.

2 5. The parties shall submit to this Court a Proposed Protective Order on
3 or before Friday, October 10, 2008, or as soon as practicable.

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Dated: October 20, 2008



Hon. David O. Carter

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PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 650 Town Center Drive, 20th Floor, Costa Mesa, CA 92626-1925.

On **October 8, 2008**, I served the following document described as:

[PROPOSED] ORDER GRANTING JOINT STIPULATION REGARDING PRELIMINARY INJUNCTION HEARING AND EXPEDITED DISCOVERY

by serving a true copy of the above-described document in the following manner:

BY U.S. MAIL

I am familiar with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service. Under that practice, documents are deposited with the Latham & Watkins LLP personnel responsible for depositing documents with the United States Postal Service; such documents are delivered to the United States Postal Service on that same day in the ordinary course of business, with postage thereon fully prepaid. I deposited in Latham & Watkins LLP' interoffice mail a sealed envelope or package containing the above-described document and addressed as set forth below in accordance with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service:

Richard H. Zaitlen
Pillsbury Winthrop Shaw Pittman LLP
725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406

I declare that I am employed in the office of a member of the Bar of, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on **October 8, 2008**, at Costa Mesa, California.

Cindy Berry