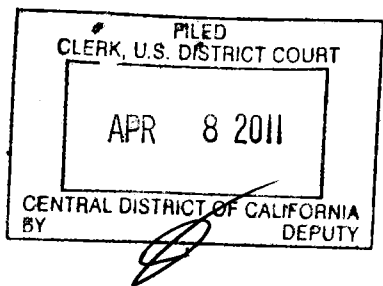


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 10  
 11 IN THE UNITED STATES DISTRICT COURT  
 12 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
 13 SOUTHERN DIVISION

14 99¢ ONLY STORES, a California  
 corporation,  
 15  
 Plaintiff,  
 16  
 v.  
 17 99¢ STORE, a California company,  
 18 GHALEB KHAAS, an Individual, and  
 DOES 1-20, INCLUSIVE,  
 19  
 Defendants.  
 20  
 21

Civil Action No.  
 SACV09-00440 CBM (SHx)  
 [PROPOSED] ORDER TO SHOW  
 CAUSE WHY DEFENDANTS  
 SHOULD NOT BE HELD IN  
 CONTEMPT AND SANCTIONED  
 Date:  
 Time:  
 Ctrm:  
 Hon. Consuelo B. Marshall

22  
 23  
 24  
 25 I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY  
 FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL ~~DEFENDANTS~~ Defendants  
 (OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF  
 RECORD IN THIS ACTION ON THIS DATE.  
 26 DATED: 4/8/11  
 27 [Signature]  
 DEPUTY CLERK  
 28

1 This Court, having heard Plaintiff 99¢ Only Stores' ("99¢") Motion for  
2 Order to Show Cause Why Defendants Should Not be Held in Contempt and/or  
3 Sanctioned ("Motion"), reviewed all documents in support of the Motion, and  
4 for good cause being shown, granted said Motion on January 10, 2011.

5 IT IS FURTHER ORDERED THAT:

6 Defendants 99¢ Store and Ghaleb Khaas shall appear before this Court at  
7 312 North Spring St., U.S. Court House  
Courtroom # 2, on May 2, 2011 at 10:00 [a.m./~~p.m.~~] of  
8 that day or as soon thereafter so Defendants can be heard as to why an Order  
9 should not be made and entered as follows:

10 1) Holding defendants 99¢ Store and Ghaleb Khaas ("Defendants") in  
11 contempt of Court for failing to comply with the Court's Default Judgment  
12 [Document No. 21] ("Judgment") and Order Granting Plaintiff Attorney's Fees  
13 Following Default [Document No. 36] ("Fee Order");

14 2) Ordering defendants 99¢ Store and Ghaleb Khaas to immediately  
15 remove and destroy all building signs, directional signs, monument signs,  
16 banners, advertising media, menus, business cards, brochures, interior décor,  
17 shopping carts, bags, merchandise stickers, cash register receipts, employee  
18 aprons, shirts, name tags, letterhead, purchase orders and websites that contain  
19 the infringing mark in accordance with the Judgment ("Infringing Materials")  
20 from all businesses or properties in the Defendants' control or possession, and  
21 to notify the Court of compliance within 14 days of the Court's Contempt Order  
22 (the "Compliance Period");

23 3) In the event that Defendants fail to timely comply with ¶ 2, above,  
24 ordering defendants 99¢ Store and Ghaleb Khaas to allow 99¢, or an agent  
25 thereof, to enter Defendants' premises at 903 South Bristol Street, Santa Ana,  
26 CA 92703, and under supervision of the United States Marshals Service, to  
27 seize, take custody of and dispose of the Infringing Materials, including the  
28 forced removal of any infringing store signage;

1           4) Ordering defendants 99¢ Store and Ghaleb Khaas to immediately pay  
2 to 99¢ the monetary award as set out in the Fee Order plus a reasonable rate of  
3 interest of \_\_\_\_\_% annually (compounded daily) to be assessed from the date of  
4 the Fee Order to the date of full payment of the monetary awards in accordance  
5 with this Contempt Order;

6           5) Ordering defendants 99¢ Store and Ghaleb Khaas to pay 99¢'s  
7 attorneys' fees and costs, in the amount of \$17,252.11, for additional  
8 enforcement efforts subsequent to the Fee Order and resulting from Defendants'  
9 failure to comply with the Judgment and Fee Order. *See* Statement of Fees and  
10 Costs Associated with Enforcement of Judgment and Court Order [Document  
11 No. 44];

12           6) Ordering defendants 99¢ Store and Ghaleb Khaas to reimburse 99¢ for  
13 costs incurred in seizing the Infringing Materials, pursuant to ¶ 3, above,  
14 including any fees to the U.S. Marshals Service;

15           7) Ordering defendants 99¢ Store and Ghaleb Khaas to hold 99¢, or any  
16 agent thereof, and the U.S. Marshals Service harmless for any damages caused  
17 by compliance with ¶ 3 of this Order and to indemnify 99¢, or any agent  
18 thereof, and the U.S. Marshals Service for any third-party claims arising out of  
19 compliance with said paragraph;

20           8) Sanctioning defendants 99¢ Store and Ghaleb Khaas for failure to  
21 comply with either ¶ 2 or ¶ 4, above, in the amount of \$\_\_\_\_\_ per day until  
22 Defendants are in complete compliance with the Judgment, Fee Order and any  
23 subsequent court order.

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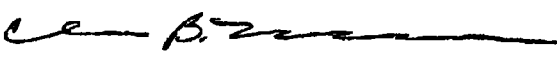
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9) Ordering such other relief that is just and proper under the circumstances.

**IT IS SO ORDERED.**

Dated: April 9, 2011



Honorable Consuelo B. Marshall  
UNITED STATES DISTRICT JUDGE