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15 Attorneys for Plaintiff Metagenics, Inc.

16 UNITED STATES DISTRICT COURT

17 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

18 METAGENICS, INC., a Delaware
19 corporation,

20 Plaintiff,

21 vs.

22 JOHN P. TROUP, an individual;
23 JENNA C. TROUP, an individual;
24 RADISHING MEDICAL, LLC, a
25 Massachusetts limited liability
26 corporation; TreatMNT, an entity of
27 unknown form; and DOES 1-10,

28 Defendants.



Case No. 8:17-cv-00173-AG-AFM

~~PROPOSED~~ PRELIMINARY
INJUNCTION AGAINST JOHN P.
TROUP, JENNA C. TROUP,
RADISHING MEDICAL, LLC AND
TREATMNT

1 This matter came for hearing on FEBRUARY 21, 2017, in courtroom 10D
 2 of the above-titled court, the Honorable Andrew Guilford, United States District
 3 Court Judge presiding. After reading all supporting and opposing papers, reviewing
 4 supporting declarations and evidence, and hearing the argument of counsel, and
 5 good cause having been shown, the court ORDERS that pending trial in this matter
 6 or further order of the court, Defendants John P. Troup, Jenna C. Troup, Radishing
 7 Medical LLC, TreatMNT, and their officers, managers, agents, servants, employees,
 8 attorneys and other persons who are in active concert or participate with them (the
 9 "*Enjoined Parties*"), who receive actual notice of this Order, ARE ENJOINED
 10 AND RESTRAINED FROM:

11 (A) The Enjoined Parties are prohibited from directly or indirectly
 12 disclosing, using, or assisting in the use or disclosure of any of Metagenics, Inc.'s
 13 ("*Metagenics*") confidential information or trade secrets, including but not limited
 14 to any Metagenics data, document, email, or attachment that any of the Defendants
 15 copied, forwarded, or removed from any email account, server, or property owned
 16 by Metagenics;

17 (B) The Enjoined Parties are prohibited from developing, producing,
 18 marketing, exploiting or selling any product, service or business model that (1) was
 19 derived from or incorporates any of Metagenics' confidential information or trade
 20 secrets; (2) was conceived or developed by Defendants during the period of
 21 September 27, 2012 through December 16, 2016, including, but not limited to, the
 22 TreatMNT business and TreatMNT's "Flash Flush" and "Glucose ^{Balance} ~~Control~~"
 23 products; or (3) was created using non-public research studies, resources, or
 24 materials paid for by Metagenics;

25 (C) The Enjoined Parties are prohibited from directly or indirectly using the
 26 "TreatMNT" trademark or term, including but not limited to any use as a trade
 27 name, in advertising or promotional materials, in social media account names or
 28 handles (including Facebook, Instagram, and Twitter), or in domain names; and

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reasonably

(D) Each Defendant shall, within five (5) days of the date this injunction is entered, (1) return to Metagenics all data, documents, files, emails, and attachments in its possession, custody, or control, that contains any of Metagenics' confidential information or trade secrets, including but not limited to any Metagenics data, document, email, or attachment that any of the Defendants copied, forwarded, or removed from any email account, server or property owned by Metagenics; and (2) provide to Metagenics an affidavit attesting under penalty of perjury that he or she has returned all such information and documents and describing in detail the steps he or she took to locate all such information and documents.

IT IS SO ORDERED

Dated: FEBRUARY 21, 2017



Hon. Andrew Guilford
United States District Court Judge