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JS-6

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

BUNZL DISTRIBUTION  
CALIFORNIA, LLC, A VIRGINIA  
CORPORATION

Plaintiff,

v.

DAN PALACIOS, an individual; and  
DOES 1 through 100, inclusive,

Defendants.

Case No. 8:17-cv-273-CJC (KESx)

**STIPULATED PERMANENT  
INJUNCTION AND JUDGMENT**

Judge: Cormac. J. Carney  
Magistrate: Karen E. Scott

Complaint Filed: February 14, 2017  
Trial Date: None Set

Stipulated  
Permanent

Case No. 8:17-cv-273-CJC (KESx)

**STIPULATED PERMANENT INJUNCTION**

1           **WHEREAS**, on February 23, 2017, Plaintiff Bunzl Distribution  
2 California, LLC d/b/a/ Bunzl Anaheim. (“Bunzl”) filed the above-captioned  
3  
4 action for injunctive relief against Defendant Dan Palacios (“Palacios”) for,  
5 among others, violation of the California Uniform Trade Secrets Act and the  
6  
7 Defend Trade Secrets Act, in connection with his alleged breach of the  
8 confidentiality agreement between Bunzl and Palacios (collectively the  
9 “Parties”); and

10           **WHEREAS**, the Parties have resolved their dispute and now wish to  
11  
12 stipulate and agree to the issuance of a permanent injunction.

13           **NOW THEREFORE**, the Parties stipulate and agree:

14           1. That until a Court with competent jurisdiction otherwise  
15  
16 orders, Defendant, and anyone working in concert with him, who receives  
17  
18 actual notice of this Stipulation and Order are hereby permanently  
19 restrained and enjoined as follows:

20           A. Defendant is permanently enjoined and restrained from using,  
21  
22 divulging, or causing to be divulged, communicating or causing to be  
23  
24 communicated, publishing or causing to be published, or otherwise disclosing or  
25 causing to be disclosed to any person, firm, corporation, association, or entity,  
26 any Confidential Information as defined in paragraph 11 of the Complaint.

27           B. Within five (5) days of the entry of this Stipulation and Order,  
28 Defendant shall return to Bunzl all records and documents in whatever form

1 (whether original, copied, computerized, or handwritten) that he obtained during  
2 his employment with Bunzl and/or which contain Bunzl's Confidential  
3 Information.  
4

5 C. Within ten (10) days of the entry of this Stipulation and Order,  
6 Defendant shall certify, under oath and on a certification form provided by Bunzl  
7 that: (a) he has not used or disclosed any of Bunzl's Confidential Information to  
8 any person or entity; (b) he has returned all records and documents in whatever  
9 form (whether original, copied, computerized, or handwritten) that he obtained  
10 during his employment with Bunzl and/or which contain Bunzl's Confidential  
11 Information; (c) that he does not possess any records or documents in any form  
12 (whether original, copied, computerized, or handwritten) that he obtained during  
13 his employment with Bunzl and/or which contain Bunzl's Confidential  
14 Information; (d) that he has retrieved such records or documents (and all copies  
15 thereof), if any, that he provided to any third party; and (e) that he has complied  
16 with the non-solicitation provision of this Order from March 2, 2017, through the  
17 date of this Order.  
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22 D. From the date of this Order through January 12, 2018, Defendant  
23 shall not, on Defendant's own behalf or behalf of any other entity or person,  
24 directly or indirectly, solicit, sell, distribute, promote, divert, accept, or  
25 appropriate, or attempt to solicit, sell, distribute, promote, divert, accept or  
26 appropriate products of the kind or nature sold by Bunzl during Defendant's  
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1 employment with Bunzl, to, or have any contact whatsoever, with any of the  
2 following customers: Super A, KV Mart/Buy Low, Super King, Vintage Grocers,  
3 Cacique Cheese.  
4

5 E. From the date of this Order through July 12, 2018, Defendant shall  
6 not, on Defendant's own behalf or behalf of any other entity or person, directly or  
7 indirectly, solicit, sell, distribute, promote, divert, accept, or appropriate, or  
8 attempt to solicit, sell, distribute, promote, divert, accept or appropriate products  
9 of the kind or nature sold by Bunzl during Defendant's employment with Bunzl,  
10 to, or have any contact whatsoever, with any of the following customers:  
11 Northgate.  
12

13 F. From the date of this Order through January 12, 2018,  
14 Defendant shall not, on Defendant's own behalf or behalf of any other  
15 entity or person, directly or indirectly, solicit for employment or employ any  
16 employee of Bunzl.  
17

18 F. Palacios shall pay Bunzl the sum of \$3,000.00 within ten (10) days  
19 of the entry of this Order.  
20

21 G. In the event Palacios violates the terms of this Stipulation and  
22 Order, Bunzl shall be entitled to immediate injunctive relief and recovery of any  
23 and all damages resulting from the violation(s), and all other damages allowable  
24 by law and in equity, including liquidated damages in the amount of FIVE  
25 THOUSAND DOLLARS and ZERO CENTS (\$5,000.00) per violation.  
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1 Additionally, Palacios shall indemnify the Bunzl from any loss or liability  
2 resulting from such violation(s) or threatened violation of this Stipulation and  
3  
4 Order, including but not limited to any and all attorneys' fees and costs incurred  
5 in redressing such violation and enforcing this Stipulation and Order.

6 **IT IS SO STIPULATED**

7  
8 DATED: July 21, 2017

OGLETREE, DEAKINS, NASH, SMOAK  
& STEWART, P.C.

9  
10  
11 By: /s/ Sean Paisan  
12 Vince M. Verde  
Sean Paisan

13 Attorneys for Plaintiff BUNZL  
14 DISTRIBUTION CALIFORNIA, LLC

15 DATED: July 19, 2017

DEFENDANT DAN PALCIOS

16  
17  
18 By: /s/Dan Palacios  
19 Dan Palacios, Defendant

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21 —  
22 SO ORDERED

23 Dated this 25<sup>th</sup> day of July, 2017.

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26 \_\_\_\_\_  
27 Judge Cormac J. Carney  
28 United States District Judge