

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

SEED SERVICES, INC., a California corporation,
Plaintiff,
v.
WINSOR GRAIN, INC., a Minnesota corporation, WILLIAM L. COOK, an individual, and DOES 1 through 35, inclusive,
Defendants.

CASE NO. 1:10-CV-2185 AWI GSA
ORDER RE: ADDITIONAL BRIEFING FOR PRELIMINARY INJUNCTION MOTION AND RESETTING HEARING DATE

Plaintiff Seed Services made a motion for a temporary restraining order and preliminary injunction. Doc. 66. The temporary restraining order was granted during the pendency of briefing for preliminary injunction. Doc. 70. Defendants have filed an opposition to the preliminary injunction Doc. 75. Having examined the briefing provided by the parties, the court finds that additional evidence concerning CLAC and Cook Land and Cattle Pty. Ltd. is required. Defendants argue that the potentially infringing actions of CLAC can not be enjoined by this court. Seed Services argues that CLAC is really a company owned and/or controlled by Defendant William Cook called Cook Land and Cattle Pty. Ltd. Defendants have not satisfactorily addressed Seed Services’s allegation or even confirmed that CLAC and Cook Land and Cattle are the same entity.

1 IT IS ORDERED,

2 The hearing on the motion for preliminary injunction is reset for 2:00 PM on April 13,
3 2012.

4 The parties are directed to provided additional briefing and evidence on CLAC and Cook
5 Land and Cattle Pty. Ltd. Specifically both parties must clarify what relationship this entity (or
6 these entities) has with Defendant William Cook and the trademarks in question. Defendants are
7 on notice that the court expects a detailed declaration from Mr. Cook himself. Mr. Cook must
8 account for all of his dealings with or on behalf of CLAC/Cook Land and Cattle. Parties must
9 file their additional briefing by 4:00 PM on April 9, 2012.

10 The temporary restraining order is extended through the new hearing date. The \$25,000
11 bond already provided by Seed Services is sufficient security.

12 IT IS SO ORDERED.

13 Dated: March 29, 2012

14 
15 _____
16 CHIEF UNITED STATES DISTRICT JUDGE
17
18
19
20
21
22
23
24
25
26
27
28