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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF CALIFORNIA
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8 ASSYRIAN AMERICAN NATIONAL
9 FEDERATION, a New York not-for-
10 profit corporation,

11 Plaintiff,

CASE NO. CV F 13-0890 LJO SAB

12 **TEMPORARY RESTRAINING**
13 **ORDER**
14 (Doc. 10.)

15 vs.

16 ASSYRIAN AMERICAN NOTIONAL
17 FEDERAL, a California corporation, et al.,

18 Defendants.
19 _____/

20 **PRELIMINARY STATEMENT TO THE PARTIES AND COUNSEL**

21 Judges in the Eastern District of California carry the heaviest caseload in the nation,
22 and this Court is unable to devote inordinate time and resources to individual cases and
23 matters. This Court cannot address all arguments, evidence and matters raised by parties and
24 addresses only the arguments, evidence and matters necessary to reach the decision in this
25 order given the shortage of district judges and staff. The parties and counsel are encouraged to
26 contact United States Senators Diane Feinstein and Barbara Boxer to address this Court's
27 inability to accommodate the parties and this action. The parties are required to consider, and
28 if necessary, to reconsider consent to a U.S. Magistrate Judge to conduct all further
proceedings in that the Magistrate Judges' availability is far more realistic and accommodating
to parties than that of U.S. District Judge Lawrence J. O'Neill who must prioritize criminal and

1 older civil cases. A Magistrate Judge consent form is available on this Court's website.

2 Civil trials set before Judge O'Neill trail until he becomes available and are subject to
3 suspension mid-trial to accommodate criminal matters. Civil trials are no longer reset to a later
4 date if Judge O'Neill is unavailable on the original date set for trial. If a trial trails, it may
5 proceed with little advance notice, and the parties and counsel may be expected to proceed to
6 trial with less than 24 hours notice. Moreover, this Court's Fresno Division randomly and
7 without advance notice reassigns civil actions to U.S. District Judges throughout the nation to
8 serve as visiting judges. In the absence of Magistrate Judge consent, this action is subject to
9 reassignment to a U.S. District Judge from outside the Eastern District of California. Case
10 management difficulties, including trial setting and interruption, are avoided if the parties
11 consent to conduct of further proceedings by a U.S. Magistrate Judge.

12 **ORDER**

13 Plaintiff Assyrian American National Federation, Inc., a New York not-for-profit
14 corporation ("plaintiff"), seeks to enjoin defendants Ramin Odisho, Assyrian American
15 National Federation, Inc., a California corporation ("California AANF"), Assyrian American
16 National Federal, Inc., an Illinois corporation ("Illinois AANF"), and other individual
17 defendants to use and infringe on plaintiff's trade name and mark. After review of the parties'
18 papers and on the basis of good cause, this Court:

19 1. ENJOINS Ramin Odisho, California AANF, Illinois AANF, and their directors,
20 officers, employees and agents from:

21 A. Using plaintiff's name, Assyrian American National Federation, Inc., or any
22 confusingly similar variation thereof, in the marketing, advertising, or promotion of their business
23 activities;

24 B. Using plaintiff's mark, which consists of an insignia depicting a five-
25 legged, winged lion standing over a chain strewn above an open book bearing traditional Christian
26 and intellectual symbols with the name Assyrian American National Federation, Inc. printed along
27 the bottom of the seal and Aramaic writing printed along the top, or any confusingly similar
28 variation thereof, in the marketing, advertising, or promotion of their business activities;

1 C. Using plaintiff's name and mark (identified above) in marketing,
2 advertising or promoting a Labor Day Weekend convention in Las Vegas; and

3 D. Holding out or referencing their Labor Day Weekend convention in Las
4 Vegas as an "80th Annual Convention," or any confusingly similar variation thereof;

5 2. ORDERS plaintiff to serve this order on all defendants in this action;

6 3. ORDERS defendants in this action, no later than July 22, 2013, to file and serve
7 papers to oppose a preliminary injunction as to use of plaintiff's trade name and mark; and

8 4. ORDERS plaintiff, no later than July 29, 2013, to file and serve reply papers as
9 to a preliminary injunction.

10 This Court will treat plaintiff's papers filed on June 21, 2013 (doc. 10) as plaintiff's
11 opening moving papers for a preliminary injunction. Pursuant to its practice, this Court will
12 consider issuance of a preliminary injunction on the record without a hearing.

13 This temporary restraining order will remain in effect until this Court orders otherwise.

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17 IT IS SO ORDERED.

18 Dated: June 27, 2013

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE