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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 SGI RESORT PROPERTIES, LLC,
12 an Arizona limited liability
13 company; and THE SCHOMAC
14 GROUP, INC., an Arizona
15 corporation,

16 Plaintiffs,

17 v.

18 BRETT ROSSELLI, an
19 individual; NICOLE BRUSO, an
20 individual; and DOES 1
21 through 20, inclusive,

22 Defendants.

No. 2:15-cv-02644-JAM-CMK

**ORDER GRANTING PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

23 Plaintiffs filed a motion for a temporary restraining order
24 on December 31, 2015 (Doc. #5).¹ The Court denied Plaintiff's
25 motion for a temporary restraining order and set a hearing to
26 determine whether to grant Plaintiffs a preliminary injunction
27 (Doc. #7). Defendants filed a notice of non-opposition (Doc.
28 #11). Defendants indicated that they "have no opposition to the

¹ This motion was determined to be suitable for decision without oral argument. E.D. Cal. L.R. 230(g). The hearing was scheduled for January 12, 2016.

1 entry of the Proposed Order submitted by the Plaintiffs." Notice
2 of Non-Opposition at 1-2. Defendants also indicated that they
3 "reserve all of their rights to oppose Plaintiffs' Application
4 for the Restraining Order and Injunction." Id. at 2. Local Rule
5 230(c), however, states that "[n]o party will be entitled to be
6 heard in opposition to a motion at oral arguments if opposition
7 to the motion has not been timely filed by that party." Local
8 Rule 230. Because Defendants did not oppose the motion, they
9 cannot oppose the motion via oral argument at a hearing. Thus,
10 the Court submitted the matter without argument (Doc. #14).
11 Defendants indicated that they do not oppose the entry of
12 Plaintiffs' proposed order, thus, the Court GRANTS Plaintiffs'
13 motion for preliminary injunction consistent with the proposed
14 order.

15 IT IS ORDERED THAT Defendants Brett Rosselli and Nicole
16 Bruso, and their agents, representatives, and all persons acting
17 in concert or participating with them are restrained and enjoined
18 from engaging in or performing directly or indirectly any and all
19 of the following acts during the pendency of this action:

20 1. Publishing, whether verbal or written, to any third-
21 party any disparaging and/or otherwise defamatory, false
22 statements regarding the business reputation of Plaintiffs';
23 their business at issue in this litigation, Nakoma Golf Resort &
24 Spa ("Nakoma"); Nakoma's employees and management; and Dan
25 Gallagher.

26 2. Utilizing, disseminating, using, copying, transmitting,
27 or publishing any of Plaintiffs' and Nakoma's "Confidential
28 Business Information" and/or trade secrets, including without

1 limitation, pricing information, cost of materials information,
2 strategic and marketing plans, financial management information,
3 operating policies, vendor files with information including
4 vendor contact information, vendor ordering needs and
5 requirements, and other business procedures customized for its
6 operation as a popular gold resort and spa and special event
7 hosting location.

8 3. Interfering with the existing or prospective business
9 relationships and contracts of Nakoma and/or Plaintiffs.

10 4. Plaintiffs are not required to post bond.

11 For the reasons set forth above, the Court GRANTS
12 Plaintiffs' motion for a preliminary injunction:

13 IT IS SO ORDERED.

14 Dated: January 11, 2016

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16 JOHN A. MENDEZ,
17 UNITED STATES DISTRICT JUDGE
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