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

GLOBAL MERCHANDISING SERVICES, )  
LTD., )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
JOHN DOES 1-100, JANE DOES 1-100 )  
AND XYZ COMPANY, )  
 )  
Defendants. )  
\_\_\_\_\_ )

No. 2:17-cv-01169-TLN-EFB

**ORDER GRANTING TEMPORARY  
RESTRAINING ORDER AND  
SEIZURE ORDER**

Based upon the complaint, memorandum of points and authorities, Declaration of Bradford James Andersen and the Certificate of Counsel and all other pleadings and proceedings and good cause being shown:

**IT IS HEREBY ORDERED**, that defendants, their agents, servants, employees, attorneys, successors, and assigns, and all persons, firms, and corporations acting in active concert or participation with said defendants, are hereby enjoined and restrained from:

(A) Using any or all of the Artist (“ROGER WATERS”) Trademarks, in connection with the sale, offering for sale, distribution, and/or advertising of any clothing or other merchandise;

(B) Manufacturing, distributing, selling, and/or holding for sale any clothing or other

1 merchandise which carries or otherwise uses any or all of the Artist's Trademarks; or

2 (C) Aiding, abetting, inducing, or encouraging another to perform any of the acts  
3 enjoined herein.

4 IT IS FURTHER ORDERED, that the United States Marshal, for this district or any  
5 district in which Plaintiff seeks to enforce this Order in the United States, the state police, local  
6 police, local deputy sheriffs, off duty officers of the same, and any person acting under their  
7 supervision (collectively "Process Servers"), are hereby authorized to seize and impound any and  
8 all unauthorized merchandise bearing any or all of the Artist's Trademarks (namely of ROGER  
9 WATERS) or any colorable imitations or variations thereof, or associated marks which  
10 Defendants or their agents, employees or representatives attempt to sell or are holding for sale in  
11 the vicinity of any of the Artist's concerts from six (6) hours before to six (6) hours after any  
12 performance of the Artist's tour within a five (5) mile vicinity of the halls, stadiums or arenas at  
13 which said tour shall be performing or elsewhere where such merchandise is being sold, held for  
14 sale or is otherwise found, including any carton, bag, vehicle or container in which such  
15 merchandise is transported or stored. All clothing, jewelry, photographs, posters and other  
16 merchandise bearing any or all of the Artist's Trademarks, or any colorable imitations or  
17 variations thereof, sold and held for sale in the vicinity of the arenas or other venues at which the  
18 Artist shall be performing, or elsewhere where such merchandise is being sold, held for sale or  
19 otherwise found, shall be deemed to be merchandise subject to the seizure provisions of this  
20 Order.

21 IT IS FURTHER ORDERED, that service of a copy of this Order together with the  
22 Summons and Complaint be made upon Defendants by the Process Servers at the time the seizure  
23 is effected and that such service shall be deemed good and sufficient.

24 IT IS FURTHER ORDERED, that each and every Defendant be served with a copy of this  
25 order promptly, courteously and peaceably identify himself or herself to the aforementioned  
26 Process Server and that the Process Server or agents for Plaintiff be allowed to photograph,  
27 videotape or otherwise identify the defendant.

28 IT IS FURTHER ORDERED, that the Process Server shall offer a receipt to each person

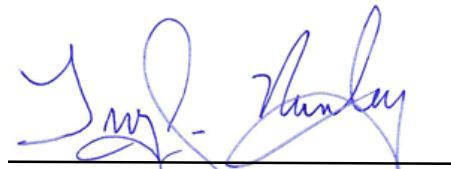
1 from whom goods are seized.

2 IT IS FURTHER ORDERED, that any Defendant who is hereafter served with a copy of  
3 this Order who objects to the provisions herein may submit his or her objections to this Court or  
4 otherwise move for relief from this Court within ten (10) days of the date of seizure according to  
5 the Federal Rules of Civil Procedure, but no such objection shall serve to suspend this Order or  
6 stay the terms hereof unless otherwise ordered by this Court.

7 IT IS FURTHER ORDERED, that all unauthorized items heretofore or hereafter seized in  
8 this action be delivered up to Plaintiff or the persons designated above, pending final disposition  
9 of this matter.

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Dated: June 6, 2017



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Troy L. Nunley  
United States District Judge