1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

ANGOSS SOFTWARE CORPORATION,) Case No. 05-5224 BZ
)
          Plaintiff,   ) [PROPOSED] **TEMPORARY**
) **RESTRAINING ORDER, AND ORDER**
     vs.   ) **TO SHOW CAUSE REGARDING**
) **PRELIMINARY INJUNCTION**
SIEBEL SYSTEMS, INC,   )
)
          Defendant.   )
)
)
)
_____)

17

18

19

20

21

22

23

24

25

26

27

28

The *Ex Parte* Application for Temporary Restraining Order, and Order to Show Cause

Regarding Preliminary Injunction filed by Plaintiff Siebel Systems, Inc. ("Siebel") came on for

hearing on _Dec. 22, 2005_ in the United States District Court, for the Northern District of

California, the Honorable Bernard Zimmerman, presiding. The Court having read the moving

papers, heard oral argument, and having been fully apprised of the matter hereby ORDERS as

follows:

1.   Angoss Software Company ("Angoss") is hereby enjoined, through and including

January 3, 2006 2005, from withholding the license key for: (a) any direct sale of an

Angoss software product to a Siebel customer; (b) any deployment of an Angoss software product

by a Siebel pool of funds customer; or (c) any evaluation of an Angoss software product by a Siebel

customer or prospect. In the event that Angoss is unable or unwilling to deliver the license keys,

[PROPOSED] TEMPORARY RESTRAINING ORDER,   -1-   PRINTED ON RECYCLED PAPER
AND ORDER TO SHOW CAUSE REGARDING
PRELIMINARY INJUNCTION

1 Siebel shall be permitted to use its own license key to activate the Angoss software product for its

2 customers.   January 3, 2006

3   2.   Any royalty due Angoss by Siebel through ~~December   , 2005~~ for: (a) any direct

4 sale of an Angoss software product to a Siebel customer; or (b) any deployment of an Angoss

5 software product by a Siebel pool of funds customer, shall be separately accounted for by Siebel,

6 and a report of the account shall be made to the Court.

7   3.   Angoss is ordered to appear before this Court, Courtroom G, on

   Jan. 3, 2006 at
8 ~~11:00 a.m.~~   ~~2005~~, or soon thereafter as counsel may be heard on the matter, to show cause

9 why a preliminary injunction should not issue to preliminarily enjoin Angoss from withholding the

10 license key for: (a) any direct sale of an Angoss software product to a Siebel customer; (b) any

11 deployment of an Angoss software product by a Siebel pool of funds customer; or (c) any

12 evaluation of an Angoss software product by a Siebel customer or prospect.

13   4.   The following briefing schedule shall apply. Any opposition papers shall be filed

14 with this Court and served on Siebel counsel by facsimile no later than 4:00 p.m. on

15 _Dec. 28, 2005_, 2005. Any reply papers to such opposition shall be filed with this Court and

16 served on Angoss' counsel by facsimile no later than ~~4:00 p.m.~~ Noon on ___December 30___, 2005.

17   5.   The Temporary Restraining Order granted herewith shall expire on the date of the

18 Preliminary Injunction Hearing.

19 IT IS SO ORDERED.

20

21 Dated: _December 22_, 2005

22   Both sides were
23   represented by
        counsel.
24

25
        Siebel shall post a   Siebel's
26   bond in the amount   supplementary
        of $25,000. This   papers are due on
27   order shall become   12/23/05 by 4:00
        effective on the   p.m.
28   posting of the bond.

IT IS SO ORDERED

Judge Bernard Zimmerman

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

[PROPOSED] TEMPORARY RESTRAINING ORDER,   -2-   PRINTED ON RECYCLED PAPER
AND ORDER TO SHOW CAUSE REGARDING
PRELIMINARY INJUNCTION