

1 JENNIFER LEE TAYLOR (CA SBN 161368)
 JTaylor@mofocom
 2 LINDSAY T. BRAUNIG (CA SBN 244125)
 LBraunig@mofocom
 3 MORRISON & FOERSTER LLP
 425 Market Street
 4 San Francisco, California 94105-2482
 Telephone: 415.268.7000
 5 Facsimile: 415.268.7522

6 LEE J. EULGEN (*pro hac vice*)
 leulgen@ngelaw.com
 7 SARAH E. SMITH (*pro hac vice*)
 ssmith@ngelaw.com
 8 GREGORY J. LEIGHTON (*pro hac vice*)
 gleighton@ngelaw.com
 9 NEAL, GERBER & EISENBERG LLP
 2. N. LaSalle Street, Suite 1700
 10 Chicago, Illinois 60602-3801
 Telephone: 312.269.8000
 11 Facsimile: 312.269.1747

12 Attorneys for Plaintiff
 AOL INC.

13 JAMES MCMANIS (CA SBN 40958)
 jmcmanis@mcmanislaw.com
 14 TYLER ATKINSON (CA SBN 257997)
 tatkinson@mcmanislaw.com
 15 McMANIS FAULKNER
 A Professional Corporation
 16 50 West San Fernando Street, 10th Floor
 17 San Jose, California 95113
 Telephone: 408.279.8700
 18 Facsimile: 408.279.3244

19 Attorneys for Defendant
 Morgan Slade

21 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 22 SAN FRANCISCO DIVISION

23 AOL INC., a Delaware corporation,
 24 Plaintiff,

25 v.

26 MORGAN SLADE D/B/A
 THEKITCHENDAILY.COM and DOES 1
 27 through 10,
 Defendants.

Case No. C 10-01992 WHA

**STIPULATION AND ~~PROPOSED~~
 STIPULATED TEMPORARY
 RESTRAINING AND PRELIMINARY
 INJUNCTION ORDER**

Hearing: May 20, 2010
 Time: 2:00 p.m.
 Dept.: 9
 Judge: Hon. William Alsup

1 On May 7, 2010, Plaintiff AOL Inc. (“AOL”) submitted its Application for a Temporary
2 Restraining Order against Defendant Morgan Slade (“Slade”). AOL and Slade hereby stipulate
3 as follows:

4 1. Slade and all entities under his control, as well as any of his subsidiaries,
5 licensees, partners, assigns, related entities, predecessors, successors, employees, representatives,
6 trustees, receivers, agents, and any other persons or entities acting on behalf of Slade or with
7 Slade’s authority shall be temporarily and preliminarily enjoined from selling, offering for sale,
8 holding for sale, advertising or promoting any goods or services under or in connection with the
9 designations and domain names THE KITCHEN DAILY, KITCHENDAILY and
10 <thekitchendaily.com>, or with any designations or domain names confusingly similar thereto,
11 or otherwise using the designations and domain names THE KITCHEN DAILY,
12 KITCHENDAILY and <thekitchendaily.com> or any designations or domain names confusingly
13 similar thereto pending further order of this Court.

14 2. This Order in no way prohibits Slade from publishing any content on the internet,
15 so long as he does not do so under or in connection with the designations and domain names
16 THE KITCHEN DAILY, KITCHENDAILY or <thekitchendaily.com>, or any designations or
17 domain names confusingly similar thereto. This Order also in no way prohibits Slade from
18 selling, offering for sale, holding for sale, advertising or promoting any goods or services under
19 or in connection with the designations and domain names KITCHEN IN SEASON, A KITCHEN
20 IN SEASON, THE KITCHEN IN SEASON, <kitcheninseason.com>, <akitcheninseason.com>,
21 and <thekitcheninseason.com>.

22 3. Slade reserves all rights and defenses to AOL’s claims in this matter and reserves
23 the right to pursue any and all claims against AOL. AOL retains all rights and defenses with
24 regard to any claims raised by Slade, including without limitation any defenses related to
25 limitations on actions.

26 4. That no security is required in this matter.

27 5. That this Order shall remain in effect pending either the entry of an order
28 dismissing this action, or the entry of an order of final judgment.

