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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SHAWN ROMACK, individually and on
behalf of all others similarly situated,

Plaintiff,

No. C 14-05005 WHA

v.

BITCASA, INC,

Defendant.

**ORDER GRANTING TEMPORARY
RESTRAINING ORDER AND SETTING
HEARING**

On November 13, plaintiff Shawn Romack commenced this putative class action alleging that defendant Bitcasa, Inc. abruptly announced that it was eliminating a cloud data storage plan. The complaint alleged breach of contract, breach of the implied covenant of good faith and fair dealing, and violation of California Business and Professions Code Section 17200, *et seq.* Plaintiff also filed an *ex parte* motion for a temporary restraining order seeking to (1) enjoin defendant from deleting, disabling, or impeding access to any data or content stored on, or uploaded to, Bitcasa's cloud computing platform or other similar systems, by plaintiff and other Infinite plan subscribers, for fourteen days from the date of this order and (2) order defendant to meet-and-confer with plaintiff within ten days of this order regarding an agreement on a reasonably sufficient period of time for plaintiff and other Infinite plan subscribers to remove their data from Bitcasa's cloud computing platform or other similar systems. The cost of plaintiff's one-year subscription to the Infinite plan was \$99. Bitcasa allegedly informed plaintiff that he must retrieve all of his data (between seven and eight terabytes of data) before November 15, 2014, otherwise it would be deleted (Romack Decl. ¶¶ 2, 3, 5, 9, 8).

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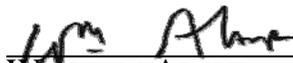
To the extent stated, plaintiff's motion for a temporary restraining order is hereby **GRANTED**. By **NOVEMBER 14, 2014**, plaintiff shall (1) serve defendant with the complaint, motion for a temporary restraining order, and this order and (2) post a \$99 bond with the Clerk of Court. Defendant has until **3:00 P.M. ON NOVEMBER 18, 2014**, to file a response to the motion. A hearing is hereby set for **10:00 A.M. ON WEDNESDAY, NOVEMBER 19, 2014**. Please report to Courtroom 8, on the 19th Floor, Phillip Burton Federal Building, 450 Golden Gate Avenue, San Francisco, CA 94102.

Defendant Bitcasa is hereby **ENJOINED** from deleting, disabling, or impeding access to any data or content stored on, or uploaded to, Bitcasa's cloud computing platform, by plaintiff and other Infinite plan subscribers, until November 20, 2014.

A companion notice sets forth some guidance regarding factors to be evaluated for any proposed class settlement. Please remember, however, that no class has been certified.

IT IS SO ORDERED.

Dated: November 13, 2014.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE