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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ZANA BRISKI,
Plaintiff,

No. C 17-02675 WHA

v.

DOROTHY HERSEY,
Defendant.

**ORDER GRANTING
PRELIMINARY INJUNCTION**

This order is directed to defendant Dorothy Hersey.

Plaintiff Zana Briski moves for a preliminary injunction seeking the return of the eleven photographs she consigned to Hersey pursuant to their October 2016 consignment agreement. For the reasons stated on the record, and based on evidence presented in the briefing, Briski has satisfied the four requirements of a preliminary injunction. She is likely to succeed on her contract and conversion claims (on which default has already been entered), and if the artwork is not returned, she is likely to be irreparably harmed by its damage or destruction. The balance of equities tip in Briski's favor, and it is in the public's interest to have this artwork returned to its rightful owner. Briski's motion for a preliminary injunction is **GRANTED**. Since there is no risk that Hersey will be harmed by returning Briski's photographs, no bond is required.

Hersey is **HEREBY ORDERED** to return the eleven photographs that were the subject of the consignment agreement between Briski and Hersey to Briski's attorney, Nicholas Carlin, as set forth below. On **JULY 14 AT NOON** or such earlier time as the parties agree to in writing, Attorney Carlin will pick up the artwork in question from Hersey at the location at which the

1 artwork is being stored. Hersey must notify him where to pick up the artwork at least two days
2 in advance. To facilitate this transfer, Attorney Carlin will be given access to the artwork, and
3 an adequate opportunity to investigate it and document its condition. He, along with any
4 individuals he requires to assist him in moving the artwork, shall be permitted to package and
5 move the art.

6 Briski shall serve this order on Hersey by personal service no later than **JULY 10 AT**
7 **NOON.**

8
9 **IT IS SO ORDERED.**

10 Dated: June 29, 2017.



11 WILLIAM ALSUP
12 UNITED STATES DISTRICT JUDGE