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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., a
Delaware corporation,

Plaintiff,

vs.

JOHN BROSNAN, MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC., a California corporation,
and ROBERT JACOBSEN

Defendants.

Case No. C 09-3600 SBA

**STIPULATED PERMANENT
INJUNCTION AGAINST DEFENDANT
ROBERT JACOBSEN AND
[PROPOSED] ORDER**

Plaintiff Mortgage Electronic Registration Systems, Inc. (“MERS”) filed an *ex parte* motion for temporary restraining order and order to show cause on August 6, 2009. On August 12, 2009, the Court entered a temporary restraining order prohibiting Defendants from using MERS’ name and accepting service of process of documents intended for MERS, and requiring Defendants to forward any documents in their possession intended for MERS to MERS’ counsel (hereinafter the “TRO”). The TRO required the defendants to show cause on August 26,

1 2009, why a preliminary injunction should not be entered against them. The Court conducted a
2 hearing on MERS' motion for a preliminary injunction on August 26, 2009. The Court issued a
3 Preliminary Injunction on September 4, 2009.

4 MERS and Defendant Robert Jacobsen ("Mr. Jacobsen") have entered into an agreement
5 to resolve the claims asserted against Mr. Jacobsen in this action (hereinafter the "Settlement
6 Agreement") and, pursuant to the Settlement Agreement, they have agreed to the terms of this
7 Stipulated Permanent Injunction.

8 MERS and Mr. Jacobsen stipulate, and the Court hereby orders, as follows:

9 (1) Mr. Jacobsen, together with any entity under his control or anyone acting on his
10 behalf in any capacity, shall not engage in, commit or perform, directly or indirectly, any of the
11 following acts:

12 (a) Using or applying to register MORTGAGE ELECTRONIC
13 REGISTRATION SYSTEMS (with or without an "S"), MERS or any confusingly similar
14 designations, as a mark, business name, domain name, email address, meta-tag, keyword, or
15 otherwise; and

16 (b) Accepting service of process or other documents intended for MERS,
17 including summonses, complaints, subpoenas, or any other legally-required notices naming or
18 involving mortgage liens held by Mortgage Electronic Registration Systems, Inc., a Delaware
19 corporation.

20 (2) To the extent he has not done so already, Mr. Jacobsen shall complete the
21 necessary documents and Secretary of State filings to change the name of companies within his
22 control from Mortgage Electronic Registration Systems, Inc., to another name that is not identical
23 or confusingly similar or, alternatively, to dissolve such companies, as soon as practicable;

24 (3) To the extent he has not done so already, Mr. Jacobsen shall immediately deliver
25 to MERS all documents and things that he, or any entity under his control or anyone acting on his
26 behalf in any capacity, has received that were intended for MERS. For any such documents that
27 are so received in the future, Mr. Jacobsen shall promptly deliver them to MERS. Any such
28 documents shall be sent directly to MERS' in-house counsel, by first-class mail or other mutually

1 agreeable method, addressed as follows:

2 Mortgage Electronic Registration Systems, Inc.
3 c/o Joseph J. Patry, Counsel
4 1818 Library Street, Suite 300
5 Reston, VA 20190

6 (4) This Court shall retain ongoing jurisdiction with respect to enforcement of this
7 Stipulated Injunction and the Settlement Agreement, the terms of which are incorporated herein
8 by reference.

9 (5) The above terms shall supersede the terms of the Preliminary Injunction with
10 respect to Mr. Jacobsen.

11 Dated: January ____, 2010

MORGAN, LEWIS & BOCKIUS LLP


12 By _____
13 Carla B. Oakley
14 Attorneys for Plaintiff
15 MORTGAGE ELECTRONIC
16 REGISTRATION SYSTEMS, INC.

17 Dated: January ____, 2010

18 By _____
19 Robert Jacobsen, Pro Se

20 THE FOREGOING STIPULATION IS APPROVED AND IS SO ORDERED, except as
21 to the retention of jurisdiction as set forth in paragraph 4, which is declined.

22
23 Dated: February 2, 2010

24 
25 The Honorable Saundra Brown Armstrong
26 United States District Judge