

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MEMPHIS MEATS, INC.,
Plaintiff,

v.

NAPAT TANDIKUL,
Defendant.

Case No. 21-cv-3072-YGR

**TEMPORARY RESTRAINING ORDER AND
ORDER TO SHOW CAUSE RE:
PRELIMINARY INJUNCTION, AND ORDER
PERMITTING EXPEDITED DISCOVERY**

Re: Dkt. No. 4

Plaintiff Memphis Meats, Inc. has filed its *Ex Parte* Application seeking a temporary restraining order, order to show cause why a preliminary injunction should not be issued, and order for expedited discovery. Plaintiffs’ counsel’s declaration indicates that he has given notice by electronic mail to Defendant Tandikul at two email addresses she is believed to use. (Dkt. No. 4-6.)

Having considered the Complaint, Plaintiff’s Application, the Memorandum in Support, the Declarations of Kevin Kayser, Jaclyn Kassmeier, Jay Vlavianos, and Jerry Bui, this Court **GRANTS** plaintiff’s Application as follows:

ORDER TO SHOW CAUSE

DEFENDANT NAPAT TANDIKUL IS ORDERED TO SHOW CAUSE why a preliminary injunction should not be entered against you restraining and enjoining you, and those acting in concert with you, from:

1. Accessing, using, disclosing, sharing, or making available to any person or entity other than Plaintiff, any of Plaintiff’s confidential proprietary, or trade secret documents, data, or information;
2. Bringing, sending, transmitting, or otherwise transferring Memphis Meats’ confidential, proprietary, or trade secret information to Thailand or any other foreign country;

1 Meats, including all current or archived media, notebooks, emails, chats, texts, documents,
2 electronic logs, metadata, storage and directories.

3 **IT IS FURTHER ORDERED THAT** that no bond need be posted by Memphis Meats in
4 connection with this Temporary Restraining Order because the Court finds that there is no
5 apparent risk of monetary loss to Defendant as a result of the issuance of this Order.

6 **ORDER PERMITTING EXPEDITED DISCOVERY**

7 **IT IS FURTHER ORDERED THAT**, good cause having been shown, pursuant to Federal Rule
8 of Civil Procedure 26(d)(1), Plaintiff’s request for expedited discovery is **GRANTED** as follows:

9 1. Plaintiff is permitted to depose defendant Napat Tandikul to determine (i) the company
10 property that Defendant took from Memphis Meats, (ii) the current location of any Memphis
11 Meats property taken by Defendant, (iii) whether, when, and what trade secret and confidential
12 information Defendant has disclosed to any third party;

13 2. Defendant Napat Tandikul shall permit a forensics e-discovery expert to: (i) “clone” or
14 mirror image; and (ii) search for and identify Plaintiff’s data, information, documents, materials
15 and any material derived therefrom, in the “cloned” or mirror images of the following:

- 16 • Defendant’s personal email accounts;
17 • Defendant’s phone, personal computers, other mobile devices (including phones and tablets),
18 and any other computer drive or storage account, both local, or stored in an offsite server or
19 the “cloud,” in Defendant’s possession, custody, or control, or that were subject to her use, and
20 that were used to access or store, even temporarily, Memphis Meats’ confidential, proprietary,
21 or trade secret information.

22 The parties may stipulate to a protocol for this e-discovery or use the Court’s Model Stipulated
23 Order Re: Discovery of Electronically Stored Info, available on the Court’s website.

24 **IT IS FURTHER ORDERED THAT,**

- 25 1. Plaintiff shall serve this Temporary Restraining Order and Order to Show Cause, along
26 with the Summons and Complaint, and Ex Parte Application, Memorandum in Support,
27 Declarations of Kevin Kayser, Jaclyn Kassmeier, Jay Vlavianos, and Jerry Bui on
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Defendant no later than **April 30, 2021** by electronic mail and personal service. Proof of such service shall be filed no later than **May 3, 2021**.

2. Any opposition to the Order to Show Cause shall be filed no later than **May 5, 2021**.
3. Any written reply shall be filed no later than **May 10, 2021 at 10:00 a.m.**
4. Hearing on the Order to Show Cause for Preliminary Injunction shall be held on **May 12, 2021, at 3:30 p.m.** on the Court’s Zoom videoconference platform. Notice for joining the videoconference will be posted on the docket in this matter and is available on the Court’s website at www.cand.uscourts.gov/judges/gonzalez-rogers-yvonne-ygr/

The Court will entertain a modified schedule for briefing and hearing, and extension of the temporary restraining order, if presented by stipulation of the parties.

IT IS SO ORDERED.

Dated: April 28, 2021



YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE