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Attorneys for Plaintiffs  
ENTRUST ADMINISTRATION, INC. and THE ENTRUST GROUP, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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ENTRUST ADMINISTRATION, INC. a  
California Corporation, and THE  
ENTRUST GROUP, INC., a Delaware  
Corporation.

Plaintiffs,

vs.

THOMAS DAVISE, an Individual, BLAIR  
PEETZ, an Individual, and  
eTRUSTDIRECT, INC.

Defendants.

Case No. C06-06427 JW

*JW*  
**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' EX PARTE MOTION FOR A  
TEMPORARY RESTRAINING ORDER  
AND ORDER TO SHOW CAUSE FOR  
PRELIMINARY INJUNCTION**

**[Civil Local Rule 65-1]**

Judge: Hon. James Ware

On October 31, 2006, Plaintiffs Entrust Administration, Inc. and Entrust Group, Inc. (collectively, "Entrust") filed an *Ex Parte* Motion for a Temporary Restraining Order and Order to Show Cause for Preliminary Injunction (the "Motion") against Defendants Thomas Davise, Blair Peetz and eTrustDirect, Inc. (collectively, "Defendants"). Having considered Entrust's Motion, the files and records of the case, and the evidence and argument presented at oral argument, it is HEREBY ORDERED that the Motion is GRANTED.

1 As part of its business, Entrust maintains a database of its customers containing detailed,  
2 confidential information about those customers and their accounts, including but not limited to  
3 their names, addresses, email addresses, telephone numbers, and the value and nature of the  
4 customers' account (Entrust's "Trade Secrets").

5 When establishing a new customer accounts, an Entrust business development  
6 representative provides certain forms to the Entrust client for the purpose of effecting the self-  
7 directed account (the "Administrative Forms"), which Administrative Forms also are maintained  
8 as confidential by Entrust and are part of Entrust's Trade Secrets.

9 **ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION**

10 IT IS FURTHER ORDERED that:

11 (1) Defendants are hereby ordered to show cause at 9 a.m./p.m. on  
12 November 13<sup>th</sup>, or as soon thereafter as counsel may be heard in Courtroom 4 of the  
13 above-entitled Court, located at San Jose, California, why Defendants and their employees,  
14 officers, agents, servants, attorneys and/or assigns, and all those acting in concert with them,  
15 should not be restrained and enjoined pending trial of this action from the following:

16 (a) Disseminating any advertising, solicitations, or communications with  
17 customers or prospective customers in which Defendants make false or misleading statements  
18 about themselves or about Entrust, including but not limited to, statements (i) that Entrust pays  
19 less than 0.1% interest on customer accounts, and (ii) that Defendants have a custodial  
20 relationship with Greater Bay Bank, N.A.;

21 (b) Making any use whatsoever, direct or indirect, of Entrust's Trade Secrets  
22 (including without limitation customer information and Administrative Forms) currently in the  
23 possession, custody or control of Defendants;

24 (c) Passing or otherwise disclosing in any way Entrust's Trade Secrets (including  
25 without limitation customer information and Administrative Forms) to any third party;

26 (d) Using Entrust's Trade Secrets (including without limitation customer  
27 information and Administrative Forms) to solicit any of Entrust's customers; and

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(e) Entering into any agreement with any customer whose identity became known to Defendants as a result of confidential information belonging to Entrust; and


(2) The following briefing schedule shall apply:

(a) Defendants shall file and personally serve any opposition to Entrust's Motion by no later than November 7, 2006.

(b) Entrust shall file and personally serve any reply to Defendants' opposition by no later than November 8, 2006.

IT IS SO ORDERED.

Dated: October 31, 2006

  
\_\_\_\_\_  
Honorable James Ware  
United States District Court Judge

**TEMPORARY RESTRAINING ORDER**

IT IS HEREBY ORDERED that:

(1) Pending the hearing on the Order to Show Cause, and except as otherwise set forth herein, Defendants and their employees, officers, agents, servants, attorneys and/or assigns, and all those acting in concert with them, are enjoined from the following:

(a) Disseminating any advertising, solicitations, or communications with customers or prospective customers in which Defendants make false or misleading statements about themselves or about Entrust, including but not limited to, statements (i) that Entrust pays less than 0.1% interest on customer accounts, and (ii) that Defendants have a custodial relationship with Greater Bay Bank, N.A.;

(b) Making any use whatsoever, direct or indirect, of Entrust's Trade Secrets (including without limitation customer information and Administrative Forms) currently in the possession, custody or control of Defendants;

(c) Passing or otherwise disclosing in any way the Entrust's Trade Secrets (including without limitation customer information and Administrative Forms) to any third party;

(d) Using Entrust's Trade Secrets (including without limitation customer information and Administrative Forms) to solicit any of Entrust's customers; and

(e) Entering into any agreement with any customer whose identity became known to Defendants as a result of confidential information belonging to Entrust.

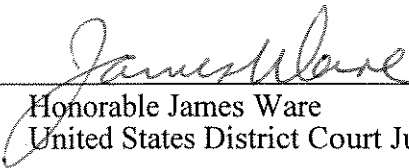
(2) Within three (3) days of entry of this Order, Defendants and their employees, officers, agents, servants, attorneys and/or assigns, and all those acting in concert with them, are required to return to Entrust any Entrust Trade Secrets (including without limitation customer information and Administrative Forms) currently in their possession, custody or control, including all Entrust customer lists and forms and/or all confidential information of Entrust's customers.

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(3) There shall be no bond on this temporary restraining order.

IT IS SO ORDERED.

Dated: October 31, 2006

  
\_\_\_\_\_  
Honorable James Ware  
United States District Court Judge

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