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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

TMX FUNDING, INC., a Delaware corporation,

Plaintiffs,

v.

IMPERO TECHNOLOGIES, INC., A California Corporation; CLARENCE NICHOLAS STEIGELMAN, An Individual; RONALD J LESNIAK, An Individual; MITCHELL A HEINLEIN, An Individual; JOSEPH ZHANG, a.k.a. XIANGCHOU ZHANG, An Individual; MICHELLE DOVER, An Individual; And DAVID LESNIAK, An Individual,

Defendants.

Case Number C 10-00202 JF (PVT)

**ORDER¹ MODIFYING
PRELIMINARY INJUNCTION**

On May 7, 2010, the Court heard arguments on the motion of Defendants Impero Technologies, Inc., Clarence Nicholas Steigelman, Mitchell Heinlein, Joseph Zhang, Ronald Lesniak, David Lesniak, and Michelle Dover to stay or modify the injunction issued by this Court on March 31, 2010. Good cause therefor appearing, the injunction is hereby modified to

¹ This disposition is not designated for publication in the official reports.

1 read as follows:

2 **IT IS HEREBY ORDERED THAT** Defendants Impero Technologies, Inc. (“Impero”),
3 Clarence Nicholas Steigelman, Mitchell Heinlein, Yizhou “Joseph” Zhang, and Michelle Dover,
4 and each of them, and any of their directors, officers, shareholders, partners, subsidiaries,
5 affiliates, employees, employers, agents, representatives, and all those in active concert or
6 participation with them (collectively, “Defendants”), are preliminarily restrained and enjoined
7 from:

8 1. Failing to return to TMX the Teledex laptops and any other equipment or materials
9 containing Confidential, Proprietary, and/or Trade Secret Information, after the Court-appointed
10 Special Master identifies and removes any privileged information and designates any private,
11 confidential or trade secret information of the individual Defendants or Impero from the laptops;
12 and

13 2. Using Confidential, Proprietary, and/or Trade Secret Information to solicit or to do
14 business with customers or third party vendors; and

15 3. Continuing to solicit or do business with customers or third party vendors from whom
16 Defendants solicited business after December 8, 2009 using Confidential, Proprietary, and/or
17 Trade Secret Information.

18 Nothing in this Order shall prevent Defendants from otherwise doing business or
19 continuing to do business with customers or third party vendors. For purposes of this Order,
20 “Confidential, Proprietary, and/or Trade Secret Information” shall include but is not limited to
21 the following information: (a) business plans and strategies of Teledex, including any strategic
22 plans that Teledex developed for its future relationships, (b) “Proprietary Information” and
23 customer information that Teledex sought to protect through its Proprietary Information and

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1 Inventions Agreement and Confidential Information and Policy Agreements, and (c) past
2 communications and agreements between Teledex and customer or vendors.

3
4 **IT IS SO ORDERED.**

5
6 DATED: 5/20/ 2010

7 
8 JEREMY FOGEL
9 United States District Judge