

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer**

Civil Case No. 09-cv-01541-PAB-KMT

MODIS, INC.,

Plaintiff,

v.

KERRY PALMER,

Defendant.

ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

Pursuant to the Court's oral ruling in this matter on September 14, 2009 and the reasons stated therein, which are hereby incorporated by reference, it is

ORDERED that plaintiff's motion for preliminary injunction [Docket No. 9] is GRANTED in part according to the terms stated in this Order and DENIED to the extent the plaintiff seeks any other relief as part of its request for a preliminary injunction. It is further

ORDERED that pursuant to Federal Rule of Civil Procedure 65, defendant Kerry Palmer is hereby restrained and enjoined from soliciting, contacting, calling upon or attempting to call upon any business which, to her knowledge, competes with Modis, any established or prospective Modis clients she served or solicited while employed by Modis, or any Modis clients which were served by Modis in the market area at any time during the lesser of the twelve months immediately prior to the termination of her employment with Modis or the term of the employment if less than twelve months. The

terms of the injunction shall apply from September 14, 2009 until August 17, 2010. It is further

ORDERED that, due to Ms. Palmer's contractual waiver of the bond requirement, no bond shall post under Federal Rule of Civil Procedure 65(c).

DATED September 17, 2009.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge