

**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.

**AMENDED ORDER GRANTING
PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

This matter is before the Court on the Unopposed Motion to Modify Order Granting Plaintiff's Motion for Preliminary Injunction [Docket No. 29]. The Court has reviewed the pleading and is fully advised in the premises. It is

ORDERED that the Motion to Modify Order Granting Plaintiff's Motion for Preliminary Injunction [Docket No. 29] is granted. The Order entered September 17, 2009 [Docket No. 27] is amended as follows:

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, for 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 25, 2009.

BY THE COURT:

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