

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 13-cv-00797-RM-BNB

FORTE SUPPLY, LLC, a Colorado limited liability company, and
JEFF RESNICK, a resident of the state of Colorado, in his official capacity,

Plaintiffs,

v.

MOJO FROZEN YOGURT, LLC, a New Jersey limited liability company, and
ANTHONY CURTIS, as Executor of the Estate of THOURIA IBRAHIM,

Defendants.

ORDER

Magistrate Judge Nina Y. Wang

This matter comes before the court on the Parties' Stipulated Motion for Order Directing Removal of Internet Discussions of Plaintiff Pursuant to Settlement Agreement ("Stipulated Motion for Order") [#101, filed August 28, 2015], which was referred to the undersigned Magistrate Judge pursuant to the Order of Reference dated May 23, 2015 [#18], the Reassignment dated February 9, 2015 [#94], and the Memorandum dated August 28, 2015 [#102]. The court has reviewed the Parties' request and the Settlement Agreement provided as [#101-2], and **IT IS ORDERED**:

- (1) The Stipulated Motion for Order [#101] is **GRANTED**;
- (2) The Settlement Agreement tendered by the Parties is **APPROVED**;
- (3) Pursuant to Paragraph 2.3 of the Settlement Agreement, Defendants are **DIRECTED** to remove any and all online reviews and comments concerning Plaintiffs from any website upon which an online review was posted, including <http://www.merchantcircle.com/business/Forte.Supply.720-328-1020> and <https://plus.google.com/103822417634752770013/reviews>;
- (4) Pursuant to Rule 65(d)(2), this Order binds (i) the Parties; (ii) the Parties' officers, agent, servants, employees, and attorneys; and (iii) other persons who are in active concert or participation with anyone described in (i) or (ii), including but not limited to merchantcircle.com and google.com to the extent they fall within the scope of (iii);

- (5) To the extent that merchantcircle.com falls within the scope of Rule 65(d)(2), it is **DIRECTED to REMOVE** the review posted by “thouria” found at <http://www.merchantcircle.com/business/Forte.Supply.720-328-1020>;
- (6) To the extent that google.com falls within the scope of Rule 65(d)(2), it is **DIRECTED TO REMOVE** the information found at <https://plus.google.com/103822417634752770013/reviews>;
- (7) Defendants are directed to serve a copy of this Order, by personal service or otherwise, on merchantcircle.com and google.com in order to provide actual notice as contemplated by Rule 65 of the Federal Rules of Civil Procedure.

DATED: September 2, 2015

BY THE COURT:

s/ Nina Y. Wang
Nina Y. Wang
United States Magistrate Judge