

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Gordon P. Gallagher

Civil Action No. 25-cv-00795-GPG-CYC

BRINKERHOFF COMPANIES LLC, a Colorado limited liability company,

Plaintiff(s),

v.

CALDERO LLC, a Colorado limited liability company, and
RENÉE BRINKERHOFF, an individual,

Defendants.

TEMPORARY RESTRAINING ORDER

Before the Court is the Ex Parte Motion for Temporary Restraining Order (D. 3). The Court GRANTS the motion. The Court finds that specific facts in an affidavit clearly show that immediate and irreparable injury, loss, or damage will result to the Plaintiff before Defendants can be heard in opposition (D. 1-2; D. 1-5); and the movant's attorney certifies in writing its efforts made to give notice to Defendants (D. 3 at 1). *See* Fed. R. Civ. P. 65(b)(1). A further written order will issue at a later date.

It is ORDERED, pursuant to Fed. R. Civ. P. 65(b)(1), that:

- Caldero LLC, as well as its owners, officers, employees, agents, servants and attorneys; Renée Brinkerhoff; and those acting in active concert with Defendants are temporarily ENJOINED from using the “LA LOMA” mark or any trademark, service mark, trade name, or logo that is confusingly similar to “LA LOMA” in the State of Colorado.

- Caldero LLC, as well as its owners, officers, employees, agents, servants and attorneys; Renée Brinkerhoff; and those acting in active concert with Defendants are temporarily ENJOINED from causing a likelihood of confusion or misunderstanding as to their affiliation, connection, or association with Plaintiff or with any of the products and services offered by Plaintiff within the State of Colorado.
- This Order binds only those with actual notice of it.
- No bond shall be required under Fed. R. Civ. P. 65(c).
- Subject to further orders by this Court, this Temporary Restraining Order shall expire on March 26, 2025, at 1:30 p.m.

It is FURTHER ORDERED that:

- The parties shall appear before this Court for a telephone preliminary injunction hearing on March 19, 2025, at 2:00 p.m. The parties are to contact Courtroom Deputy Donald Clement at donald_clement@cod.uscourts.gov for further assistance with the VTC.
- Defendants shall file any response papers on or before March 17, 2025.
- Plaintiff shall file any reply papers on or before March 18, 2025.
- Prior to the Preliminary Injunction hearing, Defendants may move to vacate or modify the temporary restraining order on two business days' notice to Plaintiff.
- That Plaintiff shall effectuate service of this Order upon Defendants on or before March 14, 2024.
- That Plaintiff shall file proof of service with this Court by March 14, 2025.

DATED March 12, 2025.

BY THE COURT:

A handwritten signature in black ink, consisting of a series of fluid, connected strokes that form a stylized representation of the name 'Gordon P. Gallagher'.

Gordon P. Gallagher
United States District Judge