

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

GEORGE & COMPANY LLC,

Plaintiff,

v.

Case No: 2:18-cv-154-FtM-38MRM

SPIN MASTER CORP, SPIN  
MASTER US HOLDINGS, INC.,  
SPIN MASTER LTD, SPIN MASTER,  
INC., CARDINAL INDUSTRIES, INC.  
and JOEL BERGER,

Defendants.

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**OPINION AND ORDER**<sup>1</sup>

Before the Court is Plaintiff George & Company LLC's Motion for Preliminary Injunction ([Doc. 58](#)) and Defendants Spin Master Corp., Spin Master U.S. Holdings, Inc., Spin Master Ltd., Spin Master, Inc., Cardinal Industries, Inc., and Joel Berger's Response in Opposition ([Doc. 68](#)).

George & Co.'s Motion is predicated on its Third Amended Complaint ([Doc. 55](#)), which the Court dismissed for lack of personal jurisdiction over Defendants. ([Doc. 70](#)).

A court cannot grant injunctive relief against a defendant absent personal jurisdiction.

*Advanced Tactical Ordinance Sys., LLC v. Real Action Paintball, Inc.*, 751 F.3d 796, 800

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<sup>1</sup> Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

(7th Cir. 2014); *Lathrop v. Unidentified, Wrecked & Abandoned Vessel*, 817 F. Supp. 953, 961 (M.D. Fla. 1993). George & Co. has an opportunity to plead sufficient jurisdictional facts in a fourth amended complaint. But until then, the Court cannot enjoin Defendants.

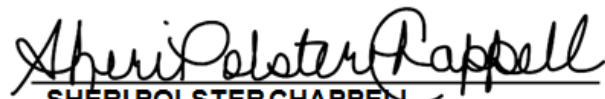
Accordingly, it is now

**ORDERED:**

Plaintiff George & Company, LLC's Motion for Preliminary Injunction ([Doc. 58](#)) is

**DENIED.**

**DONE** and **ORDERED** in Fort Myers, Florida this 29th day of December, 2018.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record