

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ALLY FINANCIAL INC.,

Plaintiff,

Case No. 11-14697

-vs-

Hon. George Caram Steeh  
Mag. Paul J. Komives

JEFFREY DOWD,

Defendant.

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**CONSENT ORDER FOR PERMANENT INJUNCTION**


AND NOW, this 3<sup>rd</sup> day of June 2012, upon consent of the parties hereto, and the Court being fully advised:

**WHEREAS:**

- A. Defendant avers by his signature below that subsequent to entry of the Temporary Restraining Order on November 3, 2011 neither Defendant nor anyone acting at his request, direction or on his behalf, destroyed, erased, or otherwise made unavailable for further proceedings in this matter, any records, telephonic records, or documents (including data or information maintained in computer media) in Defendant's possession, custody, or control, or to which Defendant has had access which were obtained from or contain information derived from any of Ally's proprietary and confidential records or information, or which relate to any of the events alleged in the Verified Complaint in this action: and
- B. Defendant avers by his signature below that Defendant has fully complied with the Consent Order for Temporary Restraining Order of November 3, 2011;

**AVERMENT OF COMPLIANCE WITH PRIOR CONSENT ORDER FOR  
TEMPORARY RESTRAINING ORDER OF THE COURT**

**Defendant avers that he has fully complied with the prior Consent Order for  
Temporary Restraining Order of the Court:**

  
\_\_\_\_\_  
Jeffrey A. Dowd

6/7/2012  
Date

**NOW THEREFORE,**

**IT IS HEREBY ORDERED AND DECREED THAT:**

1. Except as stated in Paragraph 1 (b), below, Defendant be forever enjoined and restrained, directly and indirectly, whether alone or in concert with others, including any agent of Defendant, from doing any of the following:

(a) using, disclosing, disseminating, storing, retaining, copying, or transmitting, for any purpose, Ally's protected confidential information, which is solely the property of Ally and/or contained within any of Ally's confidential and proprietary documents referenced in the litigation (A list of such confidential and proprietary documents covered by this provision is the subject of a separate confidential agreement of the parties); and

(b) for a period of two (2) years from the date of this Order, personally contacting, soliciting, disclosing or using Ally's protected confidential information contained within any of Ally's confidential and proprietary documents to solicit or to assist any person or entity in soliciting or attempting to solicit, the clients/customers of Ally whose confidential credit, underwriting or finance-related information is included among Ally's protected confidential information (A list of Ally's customers/clients

covered by this provision is the subject of a separate confidential agreement of the parties).

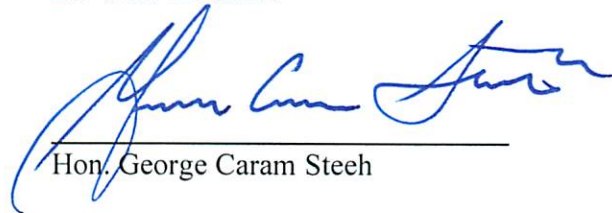
2. This Court shall retain jurisdiction with respect to the enforcement of this Order.

3. In the event that Ally brings an action before this Court asserting that evidence acquired after the date of this Order contradicts Defendant's above-stated averments of compliance with the prior orders of the Court, the prevailing party shall be entitled to reimbursement of costs and attorneys fees and such other relief as the Court deems appropriate.

4. Nothing in this Order, above, shall limit, or be construed to waive, Plaintiff's right to seek and obtain any and all monetary or equitable relief, or sanctions that may be available with respect to any violation of this Order or the Court's Order dated November 3, 2011, that Defendant is hereafter found to have committed with the prevailing party being entitled to reimbursement of costs and attorney fees.

BY THE COURT:

6-8-12



Hon. George Caram Steeh

The undersigned counsel for the Parties stipulate to the form, substance and entry of the within order.

/s/ Kimberly A. Yourchock  
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THOMAS W.H. BARLOW (P10443)  
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Dated: June 8, 2012

4824-8928-3343, v. 2

/s/ Richard L. Braun (w/consent)  
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Dated: June 8, 2012