

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 11-2226 (DSD/LIB)

Lube-Tech Liquid Recycling,
Inc. (f/k/a Randt Recycling
Technologies, Inc.), a
Minnesota corporation, and
Lubrication Technologies, Inc.,
a Minnesota corporation,

Plaintiffs.

v.

ORDER

Lee's Oil Service, LLC, a
Minnesota Limited Liability
Company, Lee E. Randt, Darren
L. Randt, Jessica A. Randt,
Ronald Kern and Elaine Randt,

Defendants.

Francis J. Rondoni, Esq., Jeffrey D. Bores, Esq., Gary K.
Luloff, Esq. and Chestnut Cambronne, PA, 17 Washington
Avenue North, Suite 300, Minneapolis, MN 55401, counsel
for plaintiffs.

Gregory R. Anderson, Esq., and Anderson, Larson, Hanson
& Saunders, PLLP, P.O. Box 130, Willmar, MN 56201,
counsel for defendants.

This matter came before the court on August 25, 2011, upon the
motion by plaintiffs Lube-Tech Liquid Recycling, Inc.¹ and
Lubrication Technologies, Inc. for a preliminary injunction against
Lee's Oil Service, LLC, Lee E. Randt, Darren L. Randt, Jessica A.

¹ Subsequent to filing its motion for preliminary injunction,
plaintiff filed an amended complaint substituting Lube-Tech Liquid
Recycling, Inc. for Randt Recycling Technologies, Inc. See ECF No.
36.

Randt, Ronald Kern and Elaine Randt.² Based on a review of the file, record and proceedings herein, the court grants the motion in part.

The background of this matter is fully set out in the temporary restraining order issued on August 12, 2011. See ECF No. 18. The parties present no additional facts relevant to the court's analysis under Dataphase Systems, Inc. v. C.L. Systems, Inc., 640 F.2d 109, 114 (8th Cir. 1981) (en banc). Accordingly, for the reasons stated in the temporary restraining order, **IT IS HEREBY ORDERED** that:

1. Plaintiffs' motion for a preliminary injunction [Doc. No. 19] is granted in part;

2. Defendants, their agents, employees, and other firms or corporations acting or claiming to act on defendants' behalf, or in concert or participation with defendants are hereby restrained from:

- a. Using or disclosing any of plaintiffs' confidential, proprietary and trade secret information and documents;
- b. Engaging in business operations that directly or indirectly derive from defendants' wrongful conduct, including, but not limited to, all contact with the following customers of plaintiffs: Dakota Westmoreland;

² Plaintiffs added defendant Elaine Randt in their amended complaint. See ECF No. 36.

Dickinson Tire Service; Stallion Oil Services; Basin Hydraulic Co, LLC; Nelson International; Continental Resources; West Plains Implement; Trotter Home Construction;

c. Making false representations about Lube-Tech Liquid Recycling, Inc. or Lubrication Technologies, Inc.;

3. Defendants shall immediately return all of plaintiffs' confidential, proprietary and trade secret information and documents and all copies thereof, including, but not limited to, all notes, records and historical data maintained by or in the possession of Ronald Kern;

4. Plaintiffs, their agents, employees, and other firms or corporations acting or claiming to act on plaintiffs' behalf, or in concert or participation with plaintiffs are hereby restrained from making false representations about Lee's Oil Service, LLC, Lee E. Randt, Darren L. Randt, Jessica A. Randt, Ronald Kern or Elaine Randt;

5. Plaintiffs shall provide security [Doc. No. 23] to defendants in the form of a bond or deposit of cash with the Clerk of Court in the amount of \$5,000;

6. Defendants shall provide security to plaintiffs in the form of a bond or deposit of cash with the Clerk of Court in the amount of \$5,000; and

7. This order shall remain in effect during the pendency of this litigation, or until notice of this court.

Dated: September 8, 2011

s/David S. Doty
David S. Doty, Judge
United States District Court