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**Attorneys for Defendant**  
 9 **NATIONAL EWP, INC.**

10 UNITED STATES DISTRICT COURT  
 11 DISTRICT OF NEVADA

12 BOART LONGYEAR, INC.,  
 13 Plaintiff,  
 14 vs.  
 15 NATIONAL EWP, INC.; SEAN  
 ARCHIBALD; CRAIG BOWSER; JEFF  
 16 FERGUSON; ZACH McMILLAN; JACOB  
 MULBERRY; EZRA SCHILLING; and  
 17 CORY SPENCER,  
 18 Defendants.

Case No. 2:11-cv-02106-JCM-RJJ

**ORDER DENYING PLAINTIFF'S**  
**MOTION FOR PRELIMINARY**  
**INJUNCTION**

19 Plaintiff BOART LONGYEAR, INC.'s Motion For Preliminary Injunction having come  
 20 before the Court, the Honorable Judge James C. Mahan presiding, on June 14, 2012 at 10:30 a.m.  
 21 in Courtroom 6A, Plaintiff BOART LONGYEAR, INC. being represented by Bruce C. Young,  
 22 Esq. and Noel E. Eidsmore, Esq. of the law firm Littler Mendelson (hereinafter "Plaintiff") and  
 23 Defendant NATIONAL EWP, INC. being represented by Lisa J. Zastrow, Esq. and Anthony J.  
 24 Celeste, Esq. of the law firm Kaempfer Crowell Renshaw Gronauer & Fiorentino (hereinafter

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1 "Defendant"), the Court having considered the pleadings and papers on file in this matter, the  
2 arguments of counsel, and otherwise finding good cause, rules as follows:

3 IT IS HEREBY ORDERED, ADJUDGED and DECREED that Plaintiff is unlikely to  
4 succeed on the merits of its First Amended Complaint and therefore the Motion For Preliminary  
5 Injunction is hereby denied.

6 IT IS SO ORDERED.

7 DATED July 5, 2012.

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UNITED STATES DISTRICT JUDGE

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11 Respectfully submitted by

12 KAEMPFER CROWELL RENSHAW  
13 GRONAUER & FIORENTINO

14 /s/ Lisa J. Zastrow

15 PETER C. BERNHARD (Nevada Bar No. 734)  
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**CERTIFICATE OF SERVICE**

1  
2 I, the undersigned, hereby certify that on the 29<sup>th</sup> day of June, 2012, I electronically filed  
3 the foregoing **ORDER DENYING PLAINTIFF'S MOTION FOR PRELIMINARY**  
4 **INJUNCTION** using the court's CM/ECF system which will send notification to the parties  
5 and/or counsel in this matter.

6  
7 /s/ Vickie Campbell  
8 an employee of  
9 Kaempfer Crowell Renshaw Gronauer & Fiorentino  
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