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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

BARTECH SYSTEMS INTERNATIONAL,
INC.,

Case No. 2:15-cv-02422-MMD-NJK

Plaintiff,

ORDER

v.

MOBILE SIMPLE SOLUTIONS, INC.;
MOBILE SIMPLE SOLUTIONS (IAS), INC.;
VINCENT TESSIER; CHRISTELLE
PIGEAT

Defendants.

MOBILE SIMPLE SOLUTIONS, INC., a
Delaware corporation, VINCENT TESSIER,
an individual, CHRISTELLE PIGEAT, an
individual, GEM SA, a Belgian corporation,

Counterclaimants,

v.

BARTECH SYSTEMS INTERNATIONAL,
INC., a Delaware corporation,

Counter-defendant.

Upon consideration of the pleadings, the briefs relating to Plaintiff and Counter-Defendant Bartech Systems International's ("Bartech") Second Motion for Preliminary Injunction (ECF Nos. 342, 343) and oral argument held on November 6, 2017, it is hereby ordered that Defendant GEM SA ("GEM") must:

- (1) Immediately cease selling, leasing, renting, or offering for sale, lease, rent or subscription any version of the ABreez software that contains or uses any

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Application”) without leave of Court, except for any customers that the Court has previously allowed. (See ECF No. 96 at 16.) Leave of Court will not be granted unless the Court finds after full briefing and hearing (if necessary) that the PMS Application no longer contains Bartech’s misappropriated trade secrets. Standalone ABreez software solutions are not affected by this order.

(2) Provide notice via electronic and regular mail in the form of Exhibit A to this Order to any customer using ABreez not as a “stand alone” solution (including, but not limited to, customers identified in Exhibit B).

(3) Defendant GEM shall file proofs of service for each notice sent to each customer that falls within paragraph 2 above.

It is further ordered that if Defendant GEM fails to file proofs of service of the notice within five (5) days of the date of this Order, then Plaintiff Bartech may send the notices. Bartech must file a copy of the notices within three (3) days of sending them. Bartech’s sending of the notices shall not excuse or absolve Defendant GEM’s obligation to send the notices.

DATED THIS 14th day of November 2017.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE

EXHIBIT A

EXHIBIT A

Notice of Preliminary Injunction Order

This notice is issued in accordance with the United States District Court for the District of Nevada's Order preliminarily enjoining the use or sale of ABreez software that contains or uses any Property Management System interface application ("PMS Application"). In doing so, the Court granted Plaintiff Bartech Systems International, Inc.'s request for the Order to be issued pending a final decision on the merits in the case that Bartech filed. The Court has extended that Order to GEM SA. In accordance with the Court's Order, you are notified that further use of ABreez software that contains or uses any version of the PMS Application is prohibited while the Order remains in place. You will be notified if and when the Order is lifted.

The Court ordered that this notice be sent to all customers using ABreez software with any version of the PMS Application. This is the second notice sent; you may have received a prior notice concerning the Court's Order.

EXHIBIT B

EXHIBIT B

Company	Hotel Name	Address	City	State	Postal	Country
AB "Valmeda"	Holiday Inn Vilnius	Simyniskiy str 1	Vilnius			Lithuania
Beekman Hotel	Beekman Hotel	123 Nassau Street	New York	New York	10038	United States
5 Beekman Property Owner LLC	Beekman Hotel	38 Park Row	New York	New York	10038	United States
Royalton 44 Hotel Leasing L.L.C.	Royalton Hotel	545 E. John Carpenter Freeway Suite 1300	Irving	Texas	75062-8124	United States
80 Wythe LLC	Wythe Hotel	45 Main Street, Suite 602	Brooklyn	New York	11201	United States
1612 Wazee LLC	Nativ Hotel	1612 Wazee LLC	Denver	Colorado	80202	United States
Clift Holdings LLC	Clift Hotel	c/o Benjamin S. Ackley Pryor Cashman LLP 1801 Century Park East, 24th Floor	Los Angeles	California	90067	United States
Lighthouse Properties, LLC	The Raphael Hotel	P.O. Box 856	Salina	Kansas	67402-0856	United States
Peninsula Beverly Hills Hotel	Peninsula Beverly Hills Hotel	9882 South Santa Monica Boulevard	Beverly Hills	California	90212	United States
The Quin Hotel	The Quin Hotel	101 West 57th Street at 6th Avenue	New York	New York	10019	United States
Renaissance Paris Republique SAS S.H.P.R.	Renaissance Paris Republique	40, Rene Boulanger	Paris		75010	France
Wolverine Lessee LLC	Mondrian Hotel	c/o I.W. Winsten Honigman Miller Schwartz and Cohn LLP 660 Woodward Avenue	Detroit	Michigan	48226-3506	United States
The Dorchester LTD	The Dorchester Hotel	53 Park Lane, Mayfair	London		W1K 1Q1	United Kingdom
TA Hotel Management LP	Trump Vancouver Hotel	1161 West Georgia Street	Vancouver	British Columbia	V6E 0C6	Canada
Pontchartrain Hotel	Pontchartrain Hotel	2031 St. Charles Avenue	New Orleans	Louisiana	70130	United States

		6 Beirut Street - Fifth Circle, P.O. Box 831370				
Fairmont Amman	Fairmont Amman	Abdoun	Amman	Jordan	11183	Jordan
Hotel Covington	Hotel Covington	638 Madison Avenue	Covington	Kentucky	41011	United States