

EXHIBIT 'J'

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RECEIVED
MAR 30 2004
CHAMBERS OF
RICHARD CONWAY CASEY
U.S.D.J.

U.S. DISTRICT COURT
FILED
MAR 26 2004
S. D. OF N. Y.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3-31-04
Case No. 04 CV 2026 (RCC)

ABB MERCHANDISING CO., INC.,

Plaintiff,

-against-

JOHN DOES 1-100, JANE DOES 1-100,
AND XYZ COMPANIES 1-100,

Defendants.

X 04CV2026
: Case No. 04 CV 2026 (RCC)
: EXTENSION OF ORDER TO SHOW
: CAUSE ON MOTION FOR
: PRELIMINARY INJUNCTION WITH
: TEMPORARY RESTRAINING ORDER
: AND ORDER OF SEIZURE

Upon the summons and complaint, the declaration of Robert Prindle and the previously submitted declarations of Ronald L. Israel and Steve Lewis, the memorandum of law, and such other matters and argument presented to the Court, and good cause having been shown;

WHEREAS, this Court's March 16, 2004 Order issued a temporary restraining order and order of seizure returnable on March 25, 2004;

WHEREAS, plaintiff has, for good cause, yet to effectuate service of this Court's March 16, 2004 Order on defendants or seized any allegedly infringing merchandise;

WHEREAS, plaintiff has posted an undertaking pursuant to this Court's Order dated March 16, 2004, in the amount of \$10,000.00, filed with this Court on March 17, 2004;

IT IS HEREBY ORDERED that defendants, various John Does, Jane Does, and XYZ Companies, their true identities being unknown, show cause before this Court, 500 Pearl Street, New York, New York 10007, in Courtroom 14C, on the 2nd day of, April 2004, at

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2:00 PM

9:00 a.m./p.m., or as soon thereafter as counsel can be heard, why an order pursuant to Fed. R. Civ. P. 65 should not be entered, granting to plaintiff a preliminary injunction enjoining the defendants John Does 1-100, Jane Does 1-100, and XYZ Companies 1-100, their true identities being unknown, and all those acting in concert with defendants, from the unauthorized manufacture, distribution, sale or holding for sale, of clothing, jewelry, photographs, posters, and other merchandise (collectively the "Infringing Merchandise") bearing the name, logo, likeness or trademark (collectively the "Trademark") of the music group known as THE ALLMAN BROTHERS BAND (the "Artist").

AND IT APPEARING TO THE COURT that defendants, and those acting in concert with defendants, will sell and distribute, and will continue to sell and distribute, the Infringing Merchandise bearing the Artist's Trademark, as set forth in plaintiff's complaint and supporting papers, and will continue to carry out such acts unless restrained by order of the Court;

AND IT APPEARING TO THE COURT that immediate and irreparable injury, loss or damage will result to the plaintiff before defendants can be identified and given notice and their attorneys can be heard in opposition to the granting of the temporary restraining order, in that the defendants will manufacture, distribute, and sell infringing merchandise, and will continue to do so, and that, unless said defendants are enjoined from said manufacture, distribution, and sale, the plaintiff will suffer immediate and irreparable injury and harm in the form of lost income, lessening and dilution of the value of the Artist's Trademark, interference with plaintiff's ability to exploit, market, and license its merchandising rights respecting the Artist's Trademark, confusion in the marketplace as to the duly authorized source of the

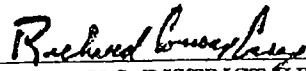
Infringing Merchandise, and impairment of the good will the Artist, the plaintiff and plaintiff's licensees have in the Artist's Trademark;

IT IS HEREBY ORDERED that, pending a hearing and determination of this application, the defendants and their agents, servants, employees, attorneys, successors, and assigns, and all persons, firms and corporations acting in concert with said defendants, be and hereby are temporarily restrained from manufacturing, distributing, and selling the Infringing Merchandise bearing the Artist's Trademark; and

IT IS FURTHER ORDERED that the United States Marshal for this district, or any district in which plaintiff enforces this order, the state and the local police, local deputy sheriffs, counsel for plaintiff, plaintiff's representatives, and persons acting under their supervision, are hereby authorized to seize and impound any and all Infringing Merchandise bearing the Artist's Trademark which defendants, or those acting in concert with defendants, attempt to sell or are holding for sale in connection with any of the Artist's concert performances (including any carton, container, or other means of carriage in which the Infringing Merchandise is found); and

IT IS FURTHER ORDERED that this temporary restraining order is conditioned upon the plaintiff advancing to the United States Marshal such sum as is required to cover the fees for their said services, in the event plaintiff seeks the services of the United States Marshal in this or any other district; and

IT IS FURTHER ORDERED that service of copies of this Order to Show Cause, together with the summons and complaint, be made upon the defendants by the United States Marshal, state or local police, local deputy sheriffs, or by any person over the age of eighteen (18) years not a party to this action selected for that purpose by the plaintiff, at the time any seizure provided herein is effected.



U.S. DISTRICT JUDGE

Dated: New York, New York
March 15, 2004
3:10 a.m./p.m.