

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BRIGHT START FURNITURE, INC. and
IDEA NUOVA, INC.

Plaintiffs,

- against -

E AND B GLOBAL, INC. and
RICHARD FRANCO

Defendants.

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MAUSKOPF, United States District Judge.

ORDER TO SHOW CAUSE AND
TEMPORARY RESTRAINING ORDER
09-CV-3008 (RRM) (JMA)

On July 16, 2009, the Court issued an Order to Show Cause and Temporary Restraining Order (Docket Entry No. 3), temporarily restraining Defendant Richard Franco ('Franco')—together with 'his agents, servants, employees, officers, distributors, sales companies, affiliates, sales representatives, salespersons, and all persons in active concert, privity and/or participation with them'—from taking certain specified actions with respect to Plaintiffs and Plaintiffs' property and business interests, and directing Franco to show cause why a Preliminary Injunction should not be issued to enjoin those same actions during the pendency of this litigation.

The Court held a brief telephone conference on July 24, 2009, at which time Franco requested additional time to seek counsel and respond to the Court's Order to Show Cause. Franco acknowledged receipt of the Order to Show Cause and Temporary Restraining Order and expressly consented to the extension of the restraints set forth therein.

Based upon the Court's previous findings, set forth in the July 16, 2009 Order to Show Cause and Temporary Restraining Order, and based upon the consent of both parties, the Court hereby extends the restraints set forth in the Order to Show Cause and Temporary Restraining Order through July 31, 2009. A copy of that Order is annexed hereto.

In addition, Franco is ORDERED to show cause, in person, at 10:00 a.m. on July 31, 2009, why a Preliminary Injunction should not be issued as set forth in the Court's July 16, 2009 Order to Show Cause and Temporary Restraining Order. Franco's answering papers, if any, shall be served on counsel for Plaintiffs and filed with the Court by no later than 5:00 p.m. on July 29, 2009. Plaintiffs' reply papers, if any, shall be served on Franco and filed with the Court by no later than 5:00 p.m. on July 30, 2009.

Plaintiffs are directed to serve on Franco a copy of this Order – together with the attached copy of the Court's July 16, 2009 Order to Show Cause and Temporary Restraining Order – by overnight delivery, and to file proof of service with the Court by no later than 5:00 p.m. on July 27, 2009.

SO ORDERED.

/s/ RRM

Dated: Brooklyn, New York
July 24, 2009

ROSLYNN R. MAUSKOPF
United States District Judge