

PATTERSON J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/2/07

WARNER BROS. ENTERTAINMENT INC. and
J.K. ROWLING,

Plaintiffs,

-against-

RDR BOOKS and DOES 1-10,

Defendants.

Case No.: 07-CV-9667 (RPP)

ORDER TO SHOW CAUSE

Upon the Complaint filed on October 31, 2007, and the Declaration(s) of Neil Blair, Diane Nelson and Dale Cendali, Esq., and the upon the pleadings and other papers herein, including Plaintiffs' memorandum of law in support of its motion for limited expedited discovery and good cause having been shown, it is hereby,

ORDERED that Defendant, RDR Books, appear and show cause before this

Court, at Room 24A, United States Courthouse, 500 Pearl Street, in the City, County and State of

ref New York, on November ¹⁹~~20~~, 2007, ^{at 2 PM} why an order should not be issued pursuant to Fed. R. Civ. P. 65(a):

(1) enjoining Defendant and its employees, agents, representatives and servants, from directly or indirectly infringing Plaintiffs' copyrights or trademarks, including but not limited to publishing or continuing to publish, distribute, market, advertise, promote, solicit or accept orders for, sell or offer for sale Defendant's "Harry Potter Lexicon" book (the "Book") or any works derived or copied from Plaintiffs' copyrighted works or bearing Plaintiffs' trademarks and from participating or assisting in any such activity whether occurring within the United

States or outside the United States, pending final judgment in this action.

It appearing from the declarations and memorandum of law identified above that Plaintiffs require limited expedited discovery in advance of the motion for preliminary injunction and an expedited briefing schedule in connection therewith and will suffer immediate and irreparable injury, loss or damage if such discovery is not permitted, it is hereby

ORDERED that Defendant will produce documents responsive to the requests for production attached to the Declaration of Dale Cendali, Esq. on November 6, 2007.

ORDERED that the briefing schedule for Plaintiffs' proposed motion for preliminary injunction shall be set as follows:

Plaintiff's Motion for Preliminary Injunction shall be filed and served on November 8, 2007.

Defendant's response, if any, will be served by overnight delivery or facsimile to counsel for Plaintiffs' on or before November 15, 2007;

Plaintiffs' reply, if any, will be served by overnight delivery or facsimile to counsel for Defendant on or before November 19, 2007.

Dated: November 2, 2007

Robert J. Peltzman
United States District Judge

A Copy of this order, ^{and Cendali Declaration} will be served on Defendant by FedEx the next day delivery on November 2, 2007.