UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

JOHN WILEY & SONS, INC.,

USDC SDNY
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DATE FILED: 5/8/09

Plaintiff,

-against-

08 Civ. 7834 (GEL)

SUPAP KIRTSAENG D/B/A BLUECHRISTINE99 AND JOHN DOE NOS. 1-5,

ECF Case

Defendants. :

STIPULATED PRELIMINARY INJUNCTION AND ORDER VACATING

Plaintiff John Wiley & Sons, Inc. ('Wiley") and defendant Supap Kirtsaeng ("Kirtsaeng"), without admitting or denying liability, consent that it is hereby ORDERED

TEMPORARY ORDER OF ATTACHMENT

John Wiley & Sons, Inc. v. Supap Kirtsaeng et al

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of Civil Procedure, Kirtsaeng, his agents, servants, employees and attorneys, and all those in active concert or participation with them who receive actual knowledge of this order, are hereby preliminarily enjoined from (i) selling in the United States Foreign Editions of Wiley's registered copyrights, Foreign Editions being defined as books printed outside of the United States and not authorized for resale in the United States, and (ii)

infringing any copyrights of Wiley in violation of 17
U.S.C. § 501.

- 2. Wiley shall continue to post cash in the amount of \$10,000 as security for the issuance of the preliminary injunction.
- 3. Pursuant to Rule 64 of the Federal Rules of Civil Procedure and New York CPLR § 6201, Wiley's application for an order of attachment is denied as moot and the Court's temporary restraining order in aid of attachment is hereby vacated.

Dated: May <u>7</u>, 2009 Issued at (200 p.m.

Gerard E. Lypich

United States District Judge

Consent to Entry

The parties, through their undersigned counsel, hereby consent to the entry of the foregoing preliminary injunction and order vacating temporary order of attachment.

Dated: New York, New York May 7, 2009

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