



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT NEW YORK

J.D. Salinger, individually and as  
Trustee of the J.D. Salinger Literary Trust,

Plaintiff,

- against -

JOHN DOE, writing under the name JOHN  
DAVID CALIFORNIA; WINDUPBIRD  
PUBLISHING LTD.; NICOTEXT A.B.; and  
ABP, INC. d/b/a SCB Distributors Inc.

Defendants.

09 Civ. 05095 (J.D. Salinger)

ECF Case

**ORDER TO SHOW CAUSE FOR  
PRELIMINARY INJUNCTION**

Upon the annexed affidavits of Phyllis Westberg and Marcia B. Paul, Esq., each sworn to June 1, 2009, and the exhibits annexed thereto; the summons and complaint herein; and the accompanying memorandum of law; and all prior pleadings and proceedings heretofore had herein,

Salinger et al v. John Doe et al and sufficient cause appearing therefor, IT IS HEREBY:

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✓ ORDERED that defendants show cause before the Honorable Deborah A. Battis at the  
✓ United States Courthouse, 500 Pearl Street, New York, NY 10007-1312 in Room 24B at 2:00  
✓ P.M. on the 10<sup>th</sup> day of June, 2009, why an order should not be entered preliminarily enjoining  
and restraining defendants in the above-captioned action and each of them, and all those acting  
under their direction or pursuant to their control, from manufacturing, publishing, distributing,  
advertising, selling or otherwise disseminating a book entitled *60 Years Later: Coming through  
the Rye*, authored by John Doe under the pseudonym J.D. California, published by defendants  
Nicotext A.B. and Windupbird Publishing Ltd. and, upon information and belief, to be  
distributed to booksellers in this country by defendant ABP, Inc. d/b/a SCB Distributors Inc.; and

ORDERED that service of <sup>hard</sup> copies of the papers in support of this application, together

with a copy of the summons and complaint herein, made on or before 12 o'clock P.M. E.S.T. on Thursday, June 4, 2009, and email service as per below made on or before noon EST on June 2, 2009, shall be deemed good and sufficient, if made as follows:

- on defendant Nicotext A.B., by service by Express Mail or such other air courier as appropriate to its principal place of business at Box 9020, 503 19 Boras, Sweden and by email to info@nicotext.com and colting@nicotext.com;
- on defendant SCB Distributors Inc., by service by Federal Express to its principal place of business at 15608 South New Century Drive, Gardena, California 90248 and by email to scb@scbdistributors.com;
- on defendant Windupbird Publishing Ltd., by service by Express Mail or such other air courier as appropriate to its principal place of business at 22 Notting Hill Gate, Suite 389, W11 3JE London, United Kingdom, Company No. 6908338 and by email to info@windupbirdpublishing.com;
- on defendant John Doe, writing under the name John David California, by service upon his publishers Nicotext and Windupbird as described above and by email to jdcalifornia@mail.com and jdcalifornia@gmail.com;
- on all defendants, by service upon Lennart Sane Agency A.B. as literary agent for sale of foreign rights in the Sequel, by Express Mail or such other air courier as appropriate to its principal place of business at Holländareplan 9, SE-374 34 Karlshamn, Sweden and by email to Philip.sane@lennartsaneagency.com, Lennart.sane@lennartsaneagency.com and Lina.hammarling@lennartsaneagency.com;
- on all defendants, by service upon Midas Public Relations, Ltd. as publicist for the Sequel, service by Express Mail or such other air courier as appropriate to its principal place of business at 10 Old Court Place, Kensington, London W8 4PL and by email to Charlie.Harris@midaspr.co.uk and Tony.Mulliken@midaspr.co.uk; and

ORDERED that due cause appearing therefor, the Clerk of the Court is directed that

Exhibit B to the affidavit of Marcia B. Paul, sworn to June 1, 2009 may be filed under seal and Exhibits A and B thereto may be filed in hard copy; and

ORDERED that answering papers, if any, shall be served upon the attorneys for the plaintiff by delivering copies thereof to their offices or filing by ECF or by email to marciapaul@dwt.com on or before 5:00 pm EST on

the 5<sup>th</sup> day of June, 2009. and hereby ~~ORDERED that reply papers, if any, shall be served by hand, ECF or email on or before 5:00 pm EST on June 8~~ ~~SECURITY IN THE AMOUNT OF \$ \_\_\_\_\_ WILL~~ ~~BE POSTED BY \_\_\_\_\_~~

Courtesy copies shall be delivered in accordance with Judge Batts' Individual Practices.

SO ORDERED:

Loretta A. Prokes  
U.S.D.J.  
Part I

Dated: New York, NY  
June 1, 2009