

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CASHIERS

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/17/2010

CLUB TEXTING, INC. d/b/a
EZ TEXTING, INC.

Plaintiff,

v.

T-MOBILE USA, INC.

Defendant.

JUDGE CASTEL

Civil Action No.

7205

ORDER TO SHOW CAUSE FOR PRELIMINARY INJUNCTION AND
TEMPORARY RESTRAINING ORDER

Upon the annexed declaration of Shahriyar ("Shane") Neman, sworn to the 16th day of September, 2010, upon the copy of the complaint hereto annexed, and the Memorandum of Law in Support of Plaintiff's Application For a Temporary Restraining Order or Preliminary Injunction, it is

ORDERED, that the above-named defendant show cause before a motion term of this Court, at Room 12C, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on September 30, 2010, at 2:15 o'clock in the P.M., or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the defendant during the pendency of this action from blocking text messages to and from Plaintiff's short code 313131; and it is further

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~~**ORDERED** that, sufficient reason having been shown therefor, pending the hearing on plaintiff's application for a preliminary injunction, pursuant to Rule 65, Fed. R. Civ. P., the~~

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defendant is temporarily restrained from blocking text messages to and from Plaintiff's short code 313131; and it is further

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ORDERED that Plaintiff is not required to post a bond or other security; and it is further

ORDERED that personal service of a copy of this order and annexed papers upon which

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it is based upon the defendant or its counsel, by hand delivery or overnight Federal Express ^{ON 9/17/10} ^(SATURDAY) delivery shall be deemed good and sufficient service thereof.

DATED: 9-17-10
ISSUED: 2:50 PM


United States District Judge

PKC
ORDERED answering papers shall be served and filed by noon September 22 and any reply papers shall be served by September 24 5P.M.