

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

INTERNATIONAL BUSINESS MACHINES  
CORPORATION,

Plaintiff,

vs.

MARK D. PAPERMASTER,

Defendant.

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: \_\_\_\_\_

08 Civ. 9078 (KMK)

ORDER TO SHOW CAUSE FOR A  
PRELIMINARY INJUNCTION

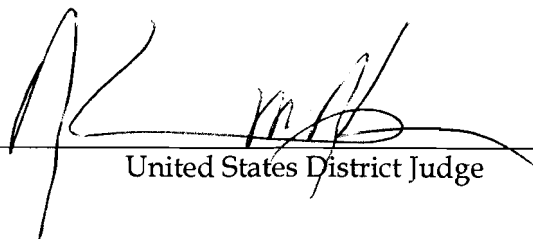
Upon the Complaint of plaintiff, International Business Machines Corporation ("IBM"), the declaration of Stephen S. Madsen, executed on October 24, 2008, the declaration of J. Randall MacDonald, executed on October 23, 2008, the declaration of Rodney C. Adkins, executed on October 23, 2008, and the accompanying memorandum of law, and good and sufficient reason appearing to me therefor, it is hereby

ORDERED that defendant show cause before this Court at a hearing in Courtroom 520, United States Courthouse, 300 Quarropas Street, White Plains, New York, on ~~October~~ <sup>November</sup> 6, 2008 at 10:30 a.m., or as soon thereafter as counsel can be heard, why an order should not be entered pursuant to Federal Rule of Civil Procedure 65 granting a preliminary injunction enjoining defendant, Mark D. Papermaster, from violating the Noncompetition Agreement dated June 21, 2006, and accepting employment with Apple Inc., and granting such other and further relief the Court deems just and proper; and it is further

ORDERED that Defendant's responsive papers to this motion for a preliminary injunction shall be filed by October 31, 2008, and Plaintiff's reply papers shall be filed by November 4, 2008; and it is further  
at 2pm.

ORDERED that IBM shall serve a copy of this Order and supporting papers,  
along with the summons and complaint (if not already served), upon defendant no later than  
5 p.m. on October 28, 2008, which shall constitute due and sufficient service and notice  
thereof.

Dated: October 24, 2008 at 2:50 pm.  
White Plains, New York



United States District Judge