

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

BUDGET BLINDS, INC., a California corporation,

Plaintiff,

v.

SHERRY COLLINS, an individual; and DOES 1-10
inclusive,

Defendants.

ORDER
12-CV-995S

Presently before this Court is Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction. Upon review of the submissions in support of Plaintiff's motion, and without objection from Defendant during the parties' appearance before this Court, the motion for a temporary restraining order (Docket No. 8) is GRANTED.

IT HEREBY IS ORDERED that the parties are directed to appear before this Court at 9 a.m. on December 18, 2012 for a Status Conference;

FURTHER, that Defendant Sherry Collins, and her agents, servants, employees, partners, assigns and all those acting under, in concert with, or for her, are hereby restrained and enjoined, from the issuance of this Order and continuing through and including the day of the parties' next scheduled appearance before this Court, from:

1. Operating any competing window covering business within Defendants' former franchised territory or within 25 miles of the territory of any existing Budget Blinds franchisee, in accordance with the parties' Franchise Agreement;
2. Using the Budget Blinds trademarks, service marks, and trade names, trade dress, and other intellectual property for any purpose;

3. Using or disseminating any Budget Blinds trade secret; and
4. Violating the post-termination provisions set forth in Section 12.01 of the parties' Franchise Agreement.

FURTHER, in light of the circumstances of this case, particularly the consent of the parties, no security pursuant to Rule 65(c) is required.

SO ORDERED.

Dated: November 16, 2012
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
Chief Judge
United States District Judge