

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Case No. 5:13-CV-00415-FL

CAMPBELL ALLIANCE GROUP, INC.,)

Plaintiff;)

v.)

ASHWIN DANDEKAR, EMILY HUA, and)
JONATHAN BETTS,)

Defendants.)

**CONSENT
TEMPORARY RESTRAINING ORDER**

NOW COMES Plaintiff CAMPBELL ALLIANCE GROUP, INC. (“Campbell”) and Defendants ASHWIN DANDEKAR (“Dandekar”), EMILY HUA (“Hua”) and JONATHAN BETTS (“Betts”) (collectively, “Defendants”), and through their counsel and pursuant to the Court’s January 7, 2014 Order on Campbell’s Motion for Temporary Restraining Order (Dkt. No. 52), respectfully consent to the entry of the following Consent Temporary Restraining Order, which will remain in place up to and until date of decision on the motion for preliminary and permanent injunction, set for hearing February 25, 2014:

Upon consideration of Plaintiff’s Emergency Motion for Temporary Restraining Order and Preliminary Injunction regarding alleged conduct of Defendant Betts, and any opposition thereto, and having heard the arguments of counsel, the Court finds that there is good cause appearing to issue a temporary restraining order and finds as follows:

1. Campbell is likely to succeed on the merits of its claim against Defendant Betts based on his breach of the confidentiality provisions of the Employee Confidentiality, Proprietary Rights and Intellectual Property Agreement (“Agreement”) by accessing and copying

information from Campbell's computer to a portable electronic storage device. (*See* Dkt. No. 52, p. 6.)

2. As a result of the above conduct, Campbell is likely to suffer irreparable harm "in the form of loss of customer business and goodwill in the absence of a temporary restraining order." (*Id.* at p. 7.)

3. As a result of the above conduct, the balance of equities favors the entry of a temporary restraining order in favor of Campbell, because Campbell "is likely to suffer irreparable harm in the absence of preliminary relief." (*Id.*)

4. The public interest favors the entry of a temporary restraining order in favor of Campbell because the public interest favors the enforcement of valid contracts. (*Id.*)

THEREFORE, IT IS HEREBY ORDERED that up to and until date of decision on the Motion for Preliminary and Permanent Injunction, set for hearing February 25, 2014, Defendants Dandekar, Hua and Betts, along with their representatives, attorneys, agents, officers, directors, employees, partners, servants, or anyone else acting on their behalf or for their benefit or in active concert or participation with them, including, but not limited to Blue Matter LLC, or anyone else having knowledge of this Order by personal service or otherwise, are **HEREBY TEMPORARILY RESTRAINED** as follows:

1. Defendants, and their representatives, attorneys, agents, officers, directors, employees, partners, servants, or anyone else acting on their behalf or for their benefit or in active concert or participation with them, or anyone else having knowledge of this Order by personal service or otherwise, are temporarily restrained from using and disclosing, in any manner, Campbell's confidential information allegedly contained in files on the Seagate external storage device or

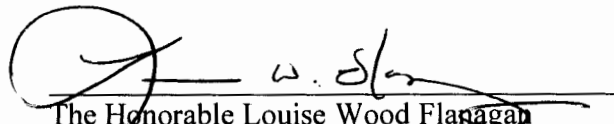
any computing device, including hard drives, CD or DVD-ROM storage media, USB flash drives, or other devices, to which those files allegedly have been downloaded; and

2. Defendants, and their representatives, attorneys, agents, officers, directors, employees, partners, servants, or anyone else acting on their behalf or for their benefit or in active concert or participation with them, or anyone else having knowledge of this Order by personal service or otherwise are ordered to preserve Campbell's confidential information allegedly contained in files on the Seagate external storage device or any computing device, including hard drives, CD or DVD-ROM storage media, USB flash drives, or other devices, to which those files allegedly have been downloaded, and to account for that information which is subject to this order.

IT IS FURTHER ORDERED THAT the Temporary Restraining Order set forth above shall remain in effect up to and until date of decision on the Motion for Preliminary and Permanent Injunction.

IT IS FURTHER ORDERED THAT Campbell shall not be required to post a bond.

This the 17th day of January, 2014.


The Honorable Louise Wood Flanagan
U.S. District Court Judge