

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>SOLERA IMPORTS, INC.</b>	:	
	:	<b>Case No. C2-06-551</b>
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>JUDGE ALGENON L. MARBLEY</b>
	:	
<b>USA WINE WEST, LLC</b>	:	<b>Magistrate Judge King</b>
	:	
<b>Defendant.</b>	:	

**ORDER**

This matter comes before the Court on the Motion for Temporary Restraining Order and/or Preliminary Injunction, by Plaintiff, Solera Imports, Inc.’s (“Solera” or “Plaintiff”) filed July 3, 2006.

The Court finds, pursuant to Fed. R. Civ. Pro. 65, that Solera has demonstrated that the potential termination of Solera’s franchise and the resulting discontinuation if Solera’s rights to distribute the Australian Premium Wine Collection (“TAPWC”) portfolio of wines in the Cleveland Market will result in immediate and irreparable harm, in the form of a loss of customer goodwill, pursuant to *Basicomputer Corp. v. Scott*, 973 F.2d 507 (6th Cir. 1992). Accordingly, Solera’s motion is hereby **GRANTED**.

Defendant USA Wine West, LLC (“UWW” or “Defendant”) , its agents, servants, employees, and all those acting on its behalf or in concert therewith, or purporting to act on its behalf are hereby:


- (i) enjoined, restrained and prohibited from terminating its franchise with Solera

in any manner inconsistent with the requirements of Ohio Revised Code §  
1333.85, and

(ii) enjoined, restrained and prohibited from withholding delivery of products  
ordered by Solera.

This Order will expire at close of business on July 13, 2006. The parties will appear  
before the Court for a preliminary injunction hearing on July 13, 2006 at 8:30 a.m. Bond is set at  
\$1,000.00.

**IT IS SO ORDERED.**



**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT JUDGE**

**DATED: July 6, 2006**