

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

YELLOW BOOK USA, INC., et al.,

Plaintiffs,

-v-

STEVEN M. BRANDEBERRY,

Defendant.

Case No. 3:10-CV-025

Judge Thomas M. Rose

**ENTRY AND ORDER GIVING BRANDEBERRY TEN (10) DAYS TO
RESPOND OR A WARRANT WILL BE ISSUED FOR HIS ARREST**

Steven M. Brandeberry (“Brandeberry”) was ordered to appear and show cause as to why he should not be held in contempt for failing to respond to this Court’s Second Amended Show Cause Order. A show cause hearing was set for March 25, 2014. (Doc. #148.)

Brandeberry was required to make a written report under oath setting forth in detail the manner and form in which he has complied with the Permanent Injunction that is part of the Final Judgment in this matter. (Doc. #140.) In an un-notarized letter dated November 19, 2013, and received by the Court on January 2, 2013, Brandeberry indicates that he has complied with the Permanent Injunction that is part of the Final Judgment except that he has not yet assigned the AMTEL name to Yellowbook (now known as hibü Inc.). (Doc. #144.) Brandeberry’s letter indicates that he believes that he will need a clear address for Yellowbook so that he can assign the mark to Yellowbook. That “clear” address has now been provided to him by Yellowbook. (Doc. #146.)

Brandeberry elected to not attend the Show Cause Hearing that was conducted on March 25, 2014. Brandeberry’s attendance at the show cause hearing was ordered by the Court.

On the morning of March 25, 2014, the Court received two completed forms that purport to assign the mark to Yellowbook (now hibu Inc.). The forms were received via U.S. Mail and included no further information. A return address on the envelope indicates that the forms were from Brandeberry.

The Court does not know if these forms have been properly filed with the Ohio Secretary of State. Thus, the Court has no evidence that Brandeberry has complied with all of the terms of the Permanent Injunction.

Since Brandeberry has not presented evidence that he has complied with the terms of the Permanent Injunction and since he elected to not attend the Court's Show Cause Hearing as he was ordered to do, he has yet to show cause as to why he should not be held in contempt of this Court. Brandeberry has ten (10) days from the entry of this Court to provide proof that he has complied with the terms of the Permanent Injunction, including properly transferring the mark to hibu Inc., or a warrant will be issued for his arrest.

DONE and ORDERED in Dayton, Ohio this Twenty-Sixth Day of March, 2014.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record and Steven M. Brandeberry