Stephen F. English, OSB #73084 E-mail: steve.english@bullivant.com John Kaempf, OSB #92539 E-mail: john.kaempf@bullivant.com BULLIVANT HOUSER BAILEY PC 300 Pioneer Tower 888 SW Fifth Avenue Portland, Oregon 97204-2089

Telephone: 503.228.6351 Facsimile: 503.295.0915

Of Attorneys for Plaintiff Tim Grgurich

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

TIM GRGURICH,

Plaintiff,

v.

TRAIL BLAZERS INC., an Oregon corporation,

Defendant.

Civil No.: 3:05-CV-1516-HA

PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION

(EXPEDITED HEARING REQUESTED)

(ORAL ARGUMENT REQUESTED)

CERTIFICATION OF COMPLIANCE WITH LR 7.1

Pursuant to Local Rule 7.1, counsel for plaintiff conferred with counsel for defendant in good faith on the telephone to resolve the dispute, but the parties have been unable to do so.

MOTION

Pursuant to Fed. R. Civ. P. 65, plaintiff moves for a preliminary injunction providing that (a) plaintiff is allowed to immediately seek and obtain employment with another

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PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION
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888 SW Fifth Avenue, Suite 300 Portland, Oregon 97204-2089 Telephone (503) 228-6351 National Basketball Association ("NBA") team; and (b) defendant shall not in any way interfere with plaintiff's efforts to seek and obtain employment by another NBA team, including not threatening any NBA team with tampering charges relating to plaintiff, and not requiring or accepting any compensation from any such NBA team in return for plaintiff signing a contract with that team.

This Motion is based on Fed. R. Civ. P. 65, the contemporaneously filed Memorandum of Law, the Declaration of Tim Grgurich already on file with the Court, and the Complaint already on file with the Court.

DATED: September 29, 2005.

BULLIVANT HOUSER BAILEY PC

BY /s/

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Attorneys for Plaintiff Tim Grgurich

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CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2005, I caused a true and correct copy of the foregoing **PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION** to be served on the following persons by the method indicated below:

Thomas M. Triplett Schwabe, Williamson & Wyatt 1600 Pacwest Center 1211 SW Fifth Ave. Portland, OR 97204-3795

Michael Fennell Vice President/General Counsel Portland Trail Blazers One Center Ct., Ste. 200 Portland, OR 97227

Attorneys for Defendant

(By electronic means through the Court's transmission facilities)

(By E-mail)

(By electronic means through the Court's transmission facilities)

(By E-mail)

/s/

Stephen F. English John Kaempf

Of Attorneys for Plaintiff Tim Grgurich