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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON
PORTLAND DIVISION

PACIFIC GEOSOURCE, INC., an
Oregon Corporation,

Plaintiff,

Case No. 3:16-cv-2372

**STIPULATED PRELIMINARY
INJUNCTION**

v.

**JIM PENMAN, an individual, and
OWEN HUNN, an individual,**

Defendants.

Plaintiff Pacific Geosource, Inc. dba Alliance Geosource ("Alliance") filed a Complaint asserting claims against defendants Jim Penman ("Penman") and Owen Hunn ("Hunn") (collectively "Defendants") for violations of the Defendant Trade Secrets Act ("DTSA"), Oregon's Uniform Trade Secrets Act, as well as other causes of action, including tortious interference with contract and breach of contract. Alliance alleged, among other claims, that Defendants were using its trade secrets to unfairly compete and wrongfully interfere with its contractual and prospective contractual relationships.

Page 1 – STIPULATED PRELIMINARY INJUNCTION

Alliance seeks preliminary injunctive relief, equitable relief and monetary damages. Alliance has alleged that without such relief, it will suffer irreparable harm which cannot be remedied via monetary damages. Defendants deny the material allegations of Alliance's complaint, but consent to the entry of a preliminary injunction pending a trial on the merits.

NOW, THEREFORE, it is Ordered, Adjudged and Decreed that:

1. The Court has jurisdiction over this action pursuant to the DTSA, 18 U.S.C. § 1836, *et seq.*
2. Defendants have consented to the entry of a preliminary injunction pending resolution of Alliance's claims on the merits.
3. Until further order of the Court, Defendants will not, indirectly or directly:
 - a. Use, disclose, or benefit from, Alliance's confidential trade secret information.
 - b. Use Alliance's confidential trade secret information to solicit business from any person or entity.
 - c. Use Alliance's confidential trade secret information, or any other wrongful means, to interfere with Alliance's business or prospective business relationships or induce the decrease or cessation Alliance's business with any person or entity.
 - d. Use any other wrongful means to interfere with Alliance's business or prospective business relationships or induce the decrease or cessation Alliance's business with any person or entity.

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4. Further, defendant Hunn will not, until further order of the Court, directly or indirectly:

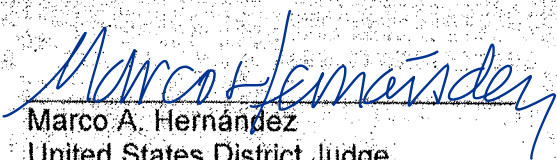
- a. Solicit, divert, or appropriate, or attempt to solicit, divert, or appropriate, Alliance's clients and prospective Clients.
- b. Take any action to compete with Alliance in Minnesota, Iowa, Kansas and Oklahoma.
- c. Aid or assist any person or entity from taking any action which would be a breach of his Employment Agreements with Alliance.

5. Defendants will also immediately cease and desist:

- a. All activities using Alliance's confidential information and agree not to destroy or otherwise spoil evidence.
- b. Contact with or doing business with Love's Travel Stops and Country Stores, JMD, Carter Waters, Southern Geo Supply and any other Alliance customers.

6. Alliance shall not be required to post a bond or other security in connection with this Order.

IT IS SO ORDERED, this 4 day of ^{Jan 2017} December, 2016.


Marco A. Hernández
United States District Judge

IT IS SO STIPULATED:

SUSSMAN SHANK, LLP By <u>Elizabeth Semler</u> Elizabeth A. Semler, OSB No. 984237 Darin D. Honn, OSB No. 882279 Matthew J. Mertens, OSB No. 146288 (503) 227-1111 Attorneys for Plaintiff	DEFENDANTS By <u>Jim Penman</u> Jim Penman, Individual By <u>Owen C. Hunn</u> Owen Hunn, Individual
APPROVED AS TO FORM: RANDY M. WELLS By <u>Randy M. Wells</u> Randy M. Wells, Esq. Attorney at Law 11400 Atlantis Place, Suite 100 Alpharetta, GA 30022 770-752-7663 attorneywells@gmail.com Attorney for Defendants	

CERTIFICATE OF SERVICE

I hereby certify that on December 28, 2016, I served, electronically via ECF, a full and correct copy of the foregoing **STIPULATED PRELIMINARY INJUNCTION**, to the interested parties of record, addressed as follows:

Randy M. Wells, Esq.
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770-752-7663
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Attorneys for Defendants

Dated: December 28, 2016


Elizabeth A. Semler, OSB No. 984237