IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

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TEMPORARY RESTRAINING ORDER WITHOUT NOTICE

In the above and entitled numbered cause the Court has examined Plaintiffs' Motion for Temporary Restraining Order supported by verified Complaint and the Affidavit of Ricky B. Perritt. The Court has further examined the Certificate of Michael J. Whitten, attorney for Plaintiffs' concerning his attempts to give notice of this matter to the Defendant and her attorney. The Court finds:

- The Defendants intend to pull down and interfere with the operation and content of the internet website "TheCupcakery.com". Said Defendants have further threatened to take action to damage the trademarks, tradenames and intellectual property of The CupcakeryTM.
- 2. Such action by Defendants will cause immediate, serious and irreparable harm to Plaintiffs.

| 3. | Unless restrained by this Court Defendants will carry through on their threats and |
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| | interfere with and cause harm to the Plaintiffs' rights in same. |
| 4. | This action on the part of Defendants will occur before this matter can be heard or |
| | Plaintiffs' Motion for Preliminary Injunction. It is therefore ORDERED that Defendants |
| | Pamela F. Jenkins and The Cupcakery, LLC, a Nevada Limited Liability Company, their |
| | agents, officers, assigns, attorneys and all persons acting in concert with them are hereby |
| | temporarily restrained and enjoined from interfering with, altering the content of |
| | modifying, pulling down or otherwise doing anything that will affect the current status |
| | quo of the website "TheCupcakery.com" and from doing anything to damage the |
| | trademarks, tradenames and intellectual property of The Cupcakery TM . |
| 5. | It is further ORDERED that Plaintiffs' Motion for Preliminary Injunction is hereby se |
| | for hearing in this Court on theday of2011 at |
| | o'clockm. |
| 6. | This ORDER is conditional upon the Plaintiffs first posting a surety bond or cash in lieu |
| | of a bond in the sum of \$ for payment of such costs and damages as may |
| | be incurred or suffered by any Defendant who may be found to be wrongfully restrained |
| | or enjoined such surety, if any, to be approved by the Clerk of this Court. |
| 7. | This ORDER shall immediately be served upon the Defendants. |
| 8. | This ORDER shall expire on theday of2011 a |
| | o'clockm. unless it is further extended by ORDER of the Court. |
| Done is | n open Court thisday of January 2011. |
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United States District Judge