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CENTRAL DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY *[Signature]*

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DUSTIN LANCE BLACK, an individual,

Plaintiff,

v.

STARZLIFE, INC., an entity of unknown form d/b/a Starzlife and d/b/a Starzlife.com; NATHANIEL THOMAS CONRAD FOLKS, an individual; MICHAEL LAWRENCE, an individual; TRACI RAITT, an individual; SCOTT ALLEN ENTERTAINMENT, INC., an unregistered fictitious entity; STEVEN LENEHAN, an individual; KELLY STAGG-LENEHAN, an individual; SERGEY KNAZEV, an individual; JESSICA JOHNSON, an individual; ZAC ALBRIGHT, an individual; and DOES 1-10, inclusive,

Defendants.

CASE NO. CV09-5380 RGK (RCx)
Hon. R. Gary Klausner

~~PROPOSED~~ TEMPORARY
RESTRAINING ORDER ("TRO")
& ORDER TO SHOW CAUSE
("OSC") RE PRELIMINARY
INJUNCTION

DATE: August 10, 2009
TIME: 9:00 a.m.
PLACE: Courtroom 850,
Roybal Building
Hon. R. Gary Klausner

ORIGINAL

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1 TO: STARZLIFE, INC. d/b/a STARZLIFE and STARZLIFE.COM,
2 NATHANIEL THOMAS CONRAD FOLKS, MICHAEL LAWRENCE, TRACI
3 RAITT, SCOTT ALLEN ENTERTAINMENT, INC., STEVEN LENEHAN,
4 KELLY STAGG-LENEHAN, SERGEY KNAZEV, JESSICA JOHNSON AND
5 ZAC ALBRIGHT, AND THEIR RESPECTIVE ATTORNEYS OF RECORD:
6

7 This matter having come before the Court on Plaintiff Dustin Lance Black's
8 ("Black" and/or "Plaintiff") Ex Parte Application for Temporary Restraining Order
9 ("TRO") and Order to Show Cause ("OSC") re Preliminary Injunction (collectively,
10 the "Application") against Defendants Starzlife, Inc., d/b/a Starzlife and
11 Starzlife.com, Nathaniel Thomas Conrad Folks, Michael Lawrence, Traci Raitt,
12 Scott Allen Entertainment, Inc., Steven Lenehan, Kelly Stagg-Lenehan, Sergey
13 Knazev, Jessica Johnson and Zac Albright, and Does 1-10;

14 And, the Court having considered the Complaint, the declarations and
15 memorandum of points and authorities presented by Plaintiff in support of the
16 Application, and any other papers, evidence or arguments presented by the parties
17 in connection with Plaintiff's Application;

18 And, the Court having found that good cause exists therefor, and Plaintiff
19 having shown that immediate and irreparable harm will result to Plaintiff in the
20 absence of the requested relief,

21 **IT IS HEREBY ORDERED THAT:**

22 1. DEFENDANTS Starzlife, Inc., d/b/a Starzlife and Starzlife.com,
23 Nathaniel Thomas Conrad Folks, Michael Lawrence, Traci Raitt, Scott Allen
24 Entertainment, Inc., Steven Lenehan, Kelly Stagg-Lenehan, Sergey Knazev, Jessica
25 Johnson and Zac Albright (collectively, "Defendants"), and each of them, and their
26 officers, directors, stockholders, owners, agents, partners, servants, employees,
27 representatives and attorneys, and all those in active concert or participation with
28 Defendants (collectively, the "Defendants Parties"), and each of them, and all

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1 others, including any website or blog operator(s) and hosting service(s), who receive
2 notice of this order, are, pending hearing on this Court's below-issued OSC, hereby:

3 (a) RESTRAINED and ENJOINED and prohibited from displaying,
4 posting for view or access on or through the Internet or in any other manner or in
5 any other format or medium or outlet, and from publishing, distributing,
6 broadcasting, transferring, exploiting, attempting to exploit, selling or licensing,
7 offering to sell or license, facilitating the sale or licensing of, and/or otherwise
8 disseminating, the Video, Photos and/or Property (each as defined hereinbelow), and
9 from making any use of the Video, Photos and/or Property or images thereof or any
10 information contained therein, all whether in electronic or hard-copy form or in any
11 other manner; and

12 (b) RESTRAINED and ENJOINED and prohibited from infringing
13 and making any unauthorized use of Black's name, photograph, image, likeness
14 and/or persona and/or the Videos or Photos in connection with any commercial
15 purpose(s), including on the internet to advertise, sell, license and/or exploit the
16 Video and Photos;

17 2. DEFENDANTS, and each of them, the DEFENDANT PARTIES, and
18 each of them, are hereby further:

19 (a) ORDERED and directed to immediately deliver and turn-over to
20 Plaintiff's counsel, to hold and maintain possession of, each and every copy of the
21 Video and/or any of the Photos and/or Property in their possession, control or
22 custody, and/or to which they have any access, in any format or medium, including
23 turning over any electronic copies on any storage devices, CD's, DVD's and/or flash
24 drives containing the same;

25 (b) ORDERED and directed to immediately recall, retrieve and
26 obtain the Video and any and all Photos and Property, and all copies thereof, in any
27 format or medium, from any persons or entities who received possession of any of
28 said material from any of the Defendant Parties, and to deliver to Plaintiff's counsel,

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1 all copies of the Video and/or any of the Photos and/or Property;

2 (c) ORDERED and directed to immediately account to Plaintiff,
3 under statement of penalty of perjury, with a list documenting and accounting for:
4 (i) every item of Property in their possession, control or custody, at any time present
5 or past, and (ii) listing/accounting for every item that was/is delivered and turned-
6 over to Plaintiff's counsel; (iii) every item of Property provided, at any time, to any
7 licensees and/or other persons or entities, and (iv) every item of Property recalled
8 and/or retrieved from any persons or entities who received possession of any of said
9 material from any of the Defendant Parties;

10 (d) ORDERED and directed to immediately give notice (along with
11 a copy of this Order) to any and all persons and entities who have or had copies of
12 any part of the Video or any of the Photos or any of the Property, received
13 by/through Defendants or any of the Defendant Parties, that they are enjoined by
14 Court Order from displaying, posting for view or access on or through the Internet
15 or in any other manner or in any other format or medium or outlet, and from
16 publishing, distributing, broadcasting, transferring, exploiting, attempting to exploit,
17 selling or licensing, offering to sell or license, facilitating the sale or licensing of,
18 and/or otherwise disseminating, the Video, Photos and/or Property, and from
19 making any use of the Video, Photos and/or Property or images thereof or any
20 information contained therein, pending further Order of this Court, and provide a
21 copy of each said notice to Plaintiff's counsel;

22 (e) ORDERED and directed to immediately (within 24-hours of
23 service of this Order) provide Plaintiff's counsel with a lists with the name, address,
24 telephone number, e-mail address and facsimile number (as known) for all persons
25 and entities who have or had copies of any part of the Video or any of the Photos or
26 any of the Property, received by/through Defendants or any of the Defendant
27 Parties, so Plaintiff can provide such persons/entities with notice of this Order if
28 Plaintiff elects to do so.

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1 3. As used in this Order, the following definitions shall apply:

2 (a) The "Video" means and shall include the personal video, and any
3 and all outtake photo images therefrom, that captures and/or features and/or includes
4 Dustin Lance Black, either individually and/or with Jeff Delancy, engaged in explicit
5 intimate physical sexual acts and/or which show either of their genitalia;

6 (b) The "Photos" means and shall include any and all of the photos
7 that capture and/or feature and/or include Dustin Lance Black, either individually
8 and/or with Jeff Delancy, engaged in explicit intimate physical sexual acts and/or
9 which show either of their genitalia;

10 (c) The "Property" collectively means and shall include both all of
11 the Video and Photos, and any and all outtake photo images, portions and/or
12 derivative images therefrom.

13 4. Defendants are hereby further ORDERED TO SHOW CAUSE and to
14 appear before this Court in Department/Room 850, located at 255 E. Temple
15 Street, Los Angeles, California, 90012 at 9:00 a.m., or as soon thereafter as this
16 matter may be heard on August 10, 2009, then and there to show cause, if any,
17 that Defendants, and each of them, and their respective officers, directors,
18 stockholders, owners, subsidiaries, agents, partners, servants, employees and
19 attorneys, and all those in active concert or participation with Defendants, or each
20 of them, while pending the determination of this action and further Order of this
21 Court, why a preliminary injunction should not issue continuing the above TRO.

22 **EFFECTIVE DATE/TIME**

23 The above Temporary Restraining Order is effective immediately upon
24 issuance, and Plaintiff shall file an undertaking within five business-days of the
25 issuance of this order, in the sum of \$ 10,000.00 Dollars.

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A copy of this Order shall be served upon the named Defendants via telecopier, e-mail or Federal Express or similar delivery service by not later than 6:00 p.m. on July 23, 2009, and the Memorandum of Points and Authorities and supporting documents filed concurrently herewith must be served on the above-named Defendants via either personal/messenger delivery or via Federal Express, or similar delivery service, by not later than July 26, 2009.

Any Opposition papers shall be personally served and filed by 10:00 a.m. on August 3, 2009, and any Reply papers shall be filed and served by either facsimile or Federal Express, or similar delivery service, by 10:00 a.m. on August 6, 2009. The parties are ordered to file briefs addressing whether the Court has subject matter jurisdiction by July 30, 2009 by 11:00 a.m.

IT IS SO ORDERED.

Dated: July 27, 2009

Gary Klausner
HON. R. GARY KLAUSNER
UNITED STATES DISTRICT JUDGE