

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

RICHARD MINSKY, an individual, d/b/a
SLART ENTERPRISES,

Plaintiff,

v.

LINDEN RESEARCH, INC., d/b/a LINDEN LAB, a
Delaware corporation, JOHN DOE (a/k/a VICTOR VEZINA), an
individual, PHILIP ROSEDALE, an individual,
MITCHELL KAPOR, an individual, other DOES,
presently unknown to Plaintiff,

Defendants.

08-CV-0819
ALBANY
(LEK-DRH)

**STIPULATION AND [PROPOSED] ORDER CONVERTING
THE TEMPORARY RESTRAINING ORDER BY CONSENT
TO A PRELIMINARY INJUNCTION BY CONSENT**

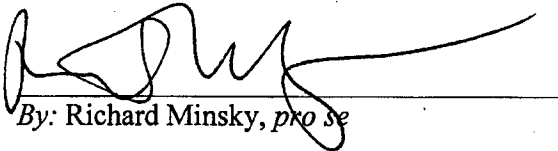
On July 29, 2008, Plaintiff Richard Minsky commenced this action, alleging claims of trademark infringement, trademark dilution, contributory infringement and dilution, in violation of the Lanham Act, 15 U.S.C. § 1141 et seq., and tortious interference and fraud, in violation of New York state law. *See* Amended Complaint (Dkt. No. 6). On September 4, 2008, following an *ex parte* application by Plaintiff, the Court entered a Memorandum Decision and Order which included a temporary restraining order. Plaintiff's Motion (Dkt. No. 10); September 4 Order (Dkt. No. 11). On September 8, 2008, Defendants Linden Research, Inc., Philip Rosedale and Mitchell Kapor moved to dissolve the temporary restraining order. (Dkt. No. 15).

On September 12, 2008, by stipulation and upon consent of the parties, the Court entered a Temporary Restraining Order By Consent ("TRO") to remain in effect pending the earlier of (a) dismissal of this Action for any reason, or (b) this Court's Decision following the hearing on Plaintiff's Motion for a preliminary injunction. TRO (Dkt. No. 23). On September 16, 2008, the Court entered an Order setting forth a briefing schedule on Plaintiff's Motion for a preliminary

injunction and setting the hearing on Plaintiff's Motion for December 3, 2008. September 16 Order (Dkt. No. 25).

The parties, having met and conferred, hereby stipulate and agree that the TRO shall be converted into a Preliminary Injunction.

Dated: October 23, 2008

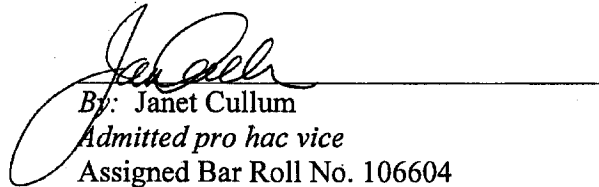


By: Richard Minsky, *pro se*

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PLAINTIFF

COOLEY GODWARD KRONISH LLP

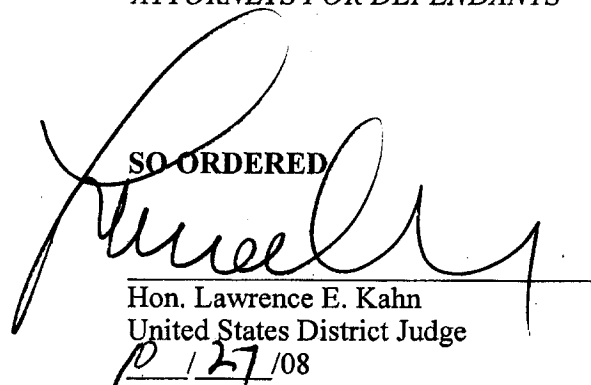


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ATTORNEYS FOR DEFENDANTS



SO ORDERED
Hon. Lawrence E. Kahn
United States District Judge
10/27/08