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VIA ELECTRONIC CASE FILING

October 23, 2008

Honorable Lawrence E. Kahn  
United States District Court  
445 Broadway  
Albany, New York 12207

**RE: Richard Minsky, d/b/a SLART ENTERPRISES v. Linden Research, Inc., d/b/a Linden Lab, et al. Civil Case No. 08-CV-819 (LEK/DRH)**

Dear Judge Kahn,

Attached please find a Stipulation and [Proposed] Order Converting the Temporary Restraining Order By Consent To A Preliminary Injunction By Consent, signed by Plaintiff Richard Minsky and myself, acting as attorney for Defendant Linden Research, Inc.

On behalf of both parties, I respectfully request the Court to grant the order, and to remove the deadlines for briefing the preliminary injunction motion, as well as the hearing on the preliminary injunction motion, from the Court's calendar.

Sincerely,

/s/ Janet L. Cullum

Cc: Richard Minsky (via e-mail), [minsky@minsky.com](mailto:minsky@minsky.com)  
Andrew C. Rose, Esq. (via ECF)

**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**

**(LEK-DRH)**

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

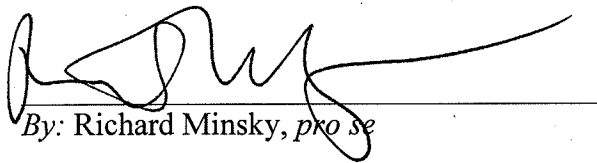
On July 29, 2008, Plaintiff Richard Minsky commenced this action, alleging claims of trademark infringement, trademark dilution, contributory infringement and dilution, in violation of the Lanham Act, 15 U.S.C. § 1141 et seq., and tortious interference and fraud, in violation of New York state law. *See* 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

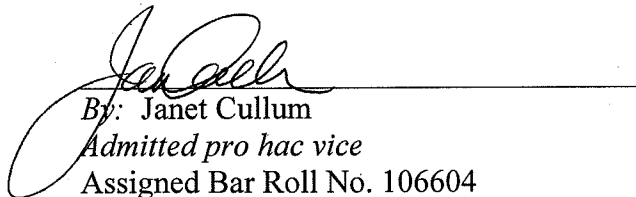


By: Richard Minsky, *pro se*

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*PLAINTIFF*

COOLEY GODWARD KRONISH LLP



By: Janet Cullum  
*Admitted pro hac vice*  
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Albany, New York 12207  
Tel: (518)427-2650

*ATTORNEYS FOR DEFENDANTS*

**SO ORDERED**

\_\_\_\_\_  
Hon. Lawrence E. Kahn  
United States District Judge  
\_\_\_\_/\_\_\_\_/08

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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

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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.

CERTIFICATE OF  
SERVICE

08-CV-0819  
(LEK-DRH)

I hereby certify that I have caused to be mailed a copy of the Stipulation and [Proposed] Order Converting the Temporary Restraining Order by Consent to a Preliminary Injunction by Consent upon the following non-CM/ECF participant by mailing same by First Class United States Mail, properly addressed and postage prepaid this 24th day of October, 2008:

Richard Minsky  
413 County Route 22  
Hudson, NY 12534

and, I hereby certify that I e-mailed a copy of the aforementioned papers upon the following non-CM/ECF participant on the 24th day of October, 2008:

[minsky@minsky.com](mailto:minsky@minsky.com)

/S/  
Elyse M. Adinolfi