

IN THE DISTRICT COURT
OF NUECES COUNTY, TEXAS
THE 214TH JUDICIAL DISTRICT

PERRY HESTON, INDIVIDUALLY AND
D/B/A FIRST CALL PROPERTIES,
JEFFERSON COWLING,
INDIVIDUALLY & D/B/A FIRST CALL
PROPERTIES CORPUS CHRISTI

VS.

AAA APARTMENT LOCATING,
MELISSA GOMEZ, INDIVIDUALLY AND
D/B/A AAA APARTMENT LOCATING,
MARIO GOMEZ, AND CRAIGSLIST, INC.
D/B/A CRAIGSLIST

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CAUSE NO. 09-2571-F

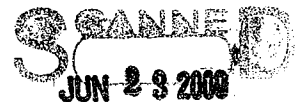
AGREED TEMPORARY INJUNCTION

On or about the 12th day of June, 2009, an agreement was reached by the parties concerning the above styled cause. Although not parties to the litigation, the agreement extends to Stephan Noak, and Sarah Regmund, owner of Free Apartment Locators.

The Court, after having examined the pleadings and hearing the oral pronouncement of the agreement, hereby approves the continuation of the terms of the Temporary Restraining Order, as modified herein, and further, approves the reciprocal agreement as set forth below:

IT IS THEREFORE ORDERED that the aforementioned immediately restrain from the following until further Orders of the Court:

- a. Using a reproduction counterfeit copy or colorful imitation of Plaintiffs' trademark "First Call" with accompanying telephone logo, on Craigslist, or any other public domain where ads for relocating services are located. Reciprocal application shall apply to AAA Apartment Locating and Free Apartment Locators' trademarks and/or logos.
- b. Using the words "Call First," "First Call Properties," or "Call Us First," or similar words and/or logos which tend to cause confusion and deceives the public into believing they are doing business with "First Call." Reciprocal application shall apply to AAA Apartment Locating and Free Apartment Locators' words and/or logos.



- c. Posting false and defamatory statements on Craigslist, or any other public domain, or to the public generally about each other or their respective companies;
- d. Making false statements to anyone concerning each other individually or their companies, or their respective agents, servants, or employees;
- e. Using a telephone logo in AAA Apartment Locating's ads which is the same or similar to the telephone logo used by First Call Properties in its ads. Reciprocal application shall apply to AAA Apartment Locating and Free Apartment Locators' logos.
- f. Causing the removal of ads posted by First Call Properties, AAA Apartment Locating, or Free Apartment Locators on Craigslist, or any other public domain, by flagging or by any other device or scheme.
- g. Causing the removal of ads posted by any and all competitors on Craigslist, or any other public domain, by flagging or by any other device or scheme.

This injunction is effective immediately and shall continue in force and effect until further order of this Court or until it expires by operation of law. This order shall be binding on the parties hereto, including Stephan Noak and Sarah Regmund, owner of Free Apartment Locators, each and every agent, servant, employee, and/or representative, and on those persons in active concert or participation with them.

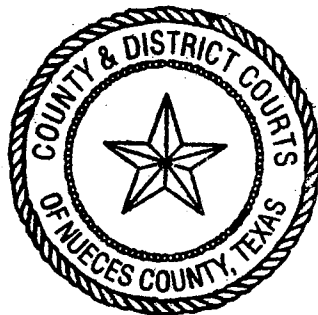
This agreement shall not constitute a waiver of any parties' rights to attorneys' fees and/or claim for damages.

It is ordered that Melissa Gomez, Jefferson Cowling, and Sarah Regmund shall cause to be delivered a copy of this Order to each and every agent, servant, employee, representative, and/or any and all persons working in active concert or participation with them so they may receive actual notice of this order, and shall take all steps necessary to enforce compliance with this Order.

SIGNED AND ORDERED on this the 12th day of June 2009.



JUDGE PRESIDING



STATE OF TEXAS
COUNTY OF NUECES

The above and foregoing is a true and
correct copy as the same appears on
file and/or recorded in the appropriate
records of Nueces County Texas

Thereby certified on 06-25-2009



PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT AND COUNTY COURTS AT LAW