

FILED The Hon. Commissioner Carlos Velategui
KING COUNTY, WASHINGTON
NOV 13 2013
SUPERIOR COURT CLERK

EXP07

**SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING**

INTEL-GE CARE INNOVATIONS LLC,
a Delaware limited liability company;
BONNIE NORMAN, a California resident;
and STEVE BACKERS, a California
resident,

Plaintiff,

v.

JAMES H. MORRISON, a Washington
resident,

Defendant.

Case No: 13-2-37021-2 SEA

~~PROPOSED~~ STIPULATED
PRELIMINARY INJUNCTION

1 Plaintiffs Intel-GE Care Innovations LLC (“Care Innovations”), Bonnie Norman,
2 and Steve Backers (collectively, “Plaintiffs”) appear through their attorneys Derek A.
3 Newman and Derek Linke of Newman Du Wors LLP. Defendant James H. Morrison
4 appears through his attorney Tyler J. Moore of Lasher, Holzapfel, Sperry & Ebberson.
5 The parties informed the Court that they have stipulated and consented to the entry of this
6 Stipulated Preliminary Injunction without a hearing or the taking of proof, and without
7 adjudication of any fact or law. The parties have also stipulated and agreed that they enter
8 into this Stipulated Preliminary Injunction voluntarily and without coercion.

9 The Court has considered the matter and finds good cause to enter the preliminary
10 injunction. Therefore,

11 IT IS HEREBY ORDERED THAT:

- 12 1. This Court has jurisdiction over the parties.
- 13 2. This Court has jurisdiction over the subject matter of this action.
- 14 3. The Stipulated Preliminary Injunction entered into by the parties has been
15 reviewed by the Court. The Court finds that the stipulation has been entered in good faith
16 and is in all respects suitable and equitable.
- 17 4. Plaintiffs and Morrison hereby waive entry of findings of fact and
18 conclusions of law, and further waive all rights to appeal or otherwise challenge or
19 contest the validity of this Stipulated Preliminary Injunction.
- 20 5. The parties have waived any requirement for a bond or for a more specific
21 or detailed order which may be imposed by RCW § 7.40.010 et seq., other statutory
22 authority, or common law.
- 23 6. Morrison has knowingly, voluntarily, and intelligently waived any defenses
24 relating to service of process, jurisdiction, venue, or First Amendment or other
25 constitutional rights with regard to this Stipulated Preliminary Injunction.
- 26 7. Morrison has consented to this Stipulated Preliminary Injunction with an
27 opportunity to seek the advice of independent counsel of his own choice and has done so.
28

Preliminary Injunction

8. "Protected Person" includes: (a) Plaintiffs Care Innovations, Bonnie Norman, and Steve Backers; (b) any other Care Innovations officer, board member, or employee, including Ray Solone, Stan Telson, Kenny Bailey, and Edward Kleinhans; (c) Plaintiffs' counsel of record, including all employees of Newman Du Wors LLP (referred to herein as "Outside Counsel"); (d) immediate family members of any person included in (a)-(c); and (e) other family members of any person included in (a)-(c).

9. Morrison, as well as his agents, servants, employees, attorneys, entities or persons directly or indirectly under his control, and those persons or entities in active concert or participation with them who receive actual notice of this Stipulated Preliminary Injunction, by personal service or otherwise, shall be and hereby are preliminarily enjoined and restrained from directly or indirectly doing any of the following acts or practices:

- a. Making any attempts to contact any Protected Person, provided that Morrison may contact Care Innovations' attorneys for the purposes of this litigation if he is unrepresented by counsel;
- b. Making any attempts to keep any Protected Person under surveillance;
- c. Entering or being within 500 feet or two blocks of the residence or place of employment of any Protected Person other than an Outside Counsel;
- d. Entering or being within 500 feet or two blocks of the residence of any Outside Counsel;
- e. Knowingly entering or being within 500 feet or two blocks of the place of employment of any Outside Counsel;
- f. Making threats to any Protected Person;
- g. Making any public statement about any Protected Person that is likely to intimidate, harass, or concern a Protected Person.
- h. Publishing, transmitting, reproducing, communicating, disseminating, selling, distributing, displaying (on the Internet or otherwise), or circulating any

1 statements about any Protected Person that falsely allege that they engage in or
 2 are associated with the criminal acts of child pornography or pedophilia, or
 3 have acted as a child predator;

- 4 i. Publishing, transmitting, reproducing, communicating, disseminating, selling,
 5 distributing, displaying (on the Internet or otherwise), or circulating any
 6 statements about any Protected Person that falsely alleges that they engage in
 7 or are associated with, criminal acts or act of moral turpitude;
- 8 j. Publishing, posting, displaying content on, or otherwise using for any purpose,
 9 the Internet domain names <stevebackers.com>, <ericdishman.com>,
 10 <marcusgrindstaff.com>, <jamespursley.com>, <seanslovenski.com>, or any
 11 other domain name consisting of, including, or similar to, the name of any
 12 Protected Person;
- 13 k. Taking effort or action that might jeopardizes or interfere with any business
 14 relationship, contract, or prospective contract of any Protected Person, or in
 15 any way adversely affect sales, marketing, or goodwill of any Protected Person
 16 or their goods or services;
- 17 l. Contacting any client or former client of any Protected Person for the purpose
 18 of disparaging, or portraying in a negative light, any Protected Person; and
- 19 m. Circumventing, interfering with, or undermining either the express terms or the
 20 spirit of this Stipulated Preliminary Injunction by any action, including but not
 21 limited to, acting indirectly through, or soliciting the assistance of, agents,
 22 employees, affiliates, friends, family members, or any other third party.

23 Retention of Jurisdiction and Enforcement

24 10. This Court retains jurisdiction over this matter for the purpose of enabling
 25 any party to apply to the Court at any time for such further orders and directions as may
 26 be necessary or appropriate for the construction or the carrying out of this Stipulated
 27 Preliminary Injunction, for enforcement of compliance herewith, and for the punishment
 28 of violations hereof, if any.

1 11. The waiver or failure of any party to exercise any rights under this
2 Stipulated Preliminary Injunction shall not be deemed a waiver of any right or future
3 rights. If any part of this Stipulated Preliminary Injunction shall for any reason be found
4 or held unenforceable by any court of competent jurisdiction, such invalidity or
5 unenforceability shall not effect the remainder of this Stipulated Preliminary Injunction,
6 which shall survive and be construed as if such invalid or unenforceable part had not
7 been contained herein.

8 12. The hearing on Plaintiffs' Motion for Preliminary Injunction set for
9 November 15, 2013 at 10:30 a.m. is hereby stricken and taken off calendar.

10 13. This Stipulated Preliminary Injunction shall become effective immediately.

11
12 DONE IN OPEN COURT at 2:47 a.m./p.m. on this 13th day of November, 2013.

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14
15 
SUPERIOR COURT JUDGE / COMMISSIONER

16 Presented by:

17 **NEWMAN DU WORS LLP**

**LASHER HOLZAPFEL
SPERRY & EBBERSON, P.L.L.C.**

18
19 

20 Derek A. Newman, WSBA No. 26967
21 Derek Linke, WSBA No. 38314

20 Tyler J. Moore, WSBA No. 39598

22 Attorneys for Plaintiffs
23 Intel-GE Care Innovations LLC,
24 Bonnie Norman, and Steve Backers

Attorneys for Defendant
James H. Morrison

25 Received, Acknowledged, and Consented:

26 _____
27 Defendant James H. Morrison

28 Date: _____

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15 SUPERIOR COURT JUDGE / COMMISSIONER

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SPERRY & EBBERSON, P.L.L.C.**

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19
20 _____
Derek A. Newman, WSBA No. 26967
Derek Linke, WSBA No. 38314

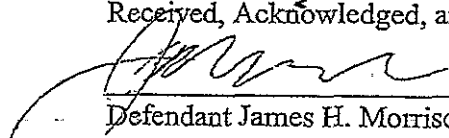


Tyler J. Moore, WSBA No. 39598

21 Attorneys for Plaintiffs
22 Intel-GE Care Innovations LLC,
23 Bonnie Norman, and Steve Backers

Attorneys for Defendant
James H. Morrison

24
25 Received, Acknowledged, and Consented:

26 

Defendant James H. Morrison

27 Date: 11/12/13
28 _____