



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

| | | |
|---|---|--------------------------|
| JONES DAY, a General Partnership |) | Case No. 08CV4572 |
| |) | |
| Plaintiff, |) | Judge John Darrah |
| |) | |
| v. |) | |
| |) | |
| BlockShopper.com, an unincorporated business entity, |) | |
| |) | |
| and |) | |
| |) | |
| Brian Timpone, d/b/a BlockShopper.com, an individual, |) | |
| |) | |
| and |) | |
| |) | |
| Edward Weinhaus, d/b/a BlockShopper.com, an individual |) | |
| |) | |
| Defendants. |) | |

STIPULATION AND ORDER

This matter coming before the Court on Plaintiff Jones Day's Motion for a Temporary Restraining Order,

WHEREAS Plaintiff has filed a Complaint and Motion for a Temporary Restraining Order seeking to enjoin the Defendants from using its alleged Service Mark JONES DAY and using any content from or linking to the Jones Day website www.jonesday.com;

WHEREAS the Defendant BlockShopper, LLC has agreed to temporarily remove all references to Jones Day on its website www.blockshopper.com and also remove any links to the jonesday.com website on its website, and all such material has been removed from its website;

In order to forestall the need for a hearing on Plaintiff's Motion for a Temporary Restraining Order, the parties agree to the following stipulation:

1. Defendants, BlockShopper, LLC, sued as BlockShopper.com), Brian Timpone and Edward Weinhaus (collectively "Defendants"), and anyone acting in concert with or on Defendants' behalf, agree to forebear from the following acts from August 19, 2008 through and including October 17, 2008:

- a. Using any reproduction or colorable imitation of the alleged service mark Jones Day, or any mark confusingly similar thereto;
- b. Using any content from or linking to the Jones Day web site www.jonesday.com;
- c. Referencing Jones Day in the headlines of any stories published on BlockShopper.com

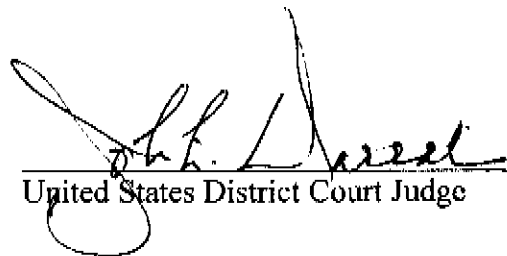
2. To the extent any of the items listed in paragraph 1 a, b and c above still appear on the www.blockshopper.com website, they shall be removed no later than August 19, 2008.

3. Plaintiff's Motion for a Temporary Restraining Order shall be entered and continued until 8/26/08, 2008.

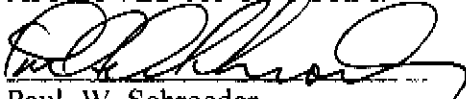
4. The parties shall engage in a Rule 26(f) conference, and they shall appear before the Court on August 26, 2008 for the Rule 16 Pretrial Conference and entry of a Scheduling Order, including, but not limited to, scheduling the time by when Defendants need to answer or otherwise plead.

IT IS SO ORDERED.

Dated this 19th day of August, 2008.


United States District Court Judge

APPROVED AS TO FORM:



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