

Superior Court Of California  
Minute Order - CIVIL LAW AND MOTION  
HONORABLE KEVIN J. MURPHY

Calendar For: 02/22/07

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Reporter: Holland Leveque

Clerk: Renee Rogers

Bailiff: ~~Curt Gomes~~

*D. Dailey*

Dept: Dept 22

8. 09:00AM Case: 1-05-CV-050179 Eagle BroadBand Vs Richwill21  
Type: Business Tort, Unfair Practice - UnlimitDate Filed: 10/05/05  
SubType:  
SV: 01/17/06  
Event: CV Misc Motion Result Code:  
Text: Motion for Assignment of Rights and Related Relief by  
Def Doe 5 aka Benderanddumat aka Thomas Mould (Mark  
Goldowitz) \*Request for Judicial Notice\*

PLT-0001 Eagle BroadBand, Inc.  
Atty: Karineh Khachatourian  
DEF-0006 Benderanddumat  
DEF-0007 Daniel Berger  
Atty: Mark A. Goldowitz  
DEF-0002 Thomas Mould  
AKA: Benderanddumat  
Atty: Mark A. Goldowitz  
DEF-0008 David Mowers  
DEF-0001 Richwill21  
Atty: Mark A. Goldowitz  
DEF-0003 Team\_3339  
Atty: Gregory A. Broiles  
DEF-0004 Upanddown100  
AKA: Daniel Berger  
Atty: Mark A. Goldowitz ✓  
DEF-0005 Richard Williams

*Jeffrey Ratinoff*

*Eric Sidebotham*

- NO APPEARANCE  
 OTHERS IN COURT AS NOTED ABOVE  
 OFF CALENDAR ( ) \_\_\_\_\_

THE COURT ORDERS THIS CASE:

- SET FOR \_\_\_\_\_ ON \_\_\_\_\_ AT \_\_\_\_\_ DEPT \_\_\_\_\_  
 CONTINUED TO \_\_\_\_\_ AT \_\_\_\_\_ DEPT \_\_\_\_\_  
 DISMISSED ( ) WITH PREJUDICE ( ) WITHOUT PREJUDICE ( ) RE: \_\_\_\_\_  
 NO SERVICE; REISSUED TO \_\_\_\_\_ AT \_\_\_\_\_ DEPT \_\_\_\_\_  
 TEMPORARY RESTRAINING ORDER TO REMAIN IN EFFECT  
 MOTION/PETITION ( ) GRANTED (  ) DENIED ( ) OTHER as to assignment of Rights.

DEMURRER  SUSTAINED  WITH \_\_\_\_\_ DAYS LEAVE TO AMEND  WITH LEAVE TO AMEND BY \_\_\_\_\_  
 WITHOUT LEAVE TO AMEND  AS TO \_\_\_\_\_ CAUSE(S) OF ACTION  
 OVERRULED \_\_\_\_\_ DAYS TO ANSWER OR PLEAD FURTHER  AS TO \_\_\_\_\_ CAUSE(S) OF ACTION  
 TAKEN UNDER SUBMISSION; WRITTEN DECISION TO BE MAILED  
 ORDER SIGNED  SERVED ON COUNSEL IN COURT  Defense counsel TO PREPARE ORDER  
 EXEMPTION:  ALLOWED  DISALLOWED  OTHER \_\_\_\_\_  
 PAYMENT GRANTED \$ \_\_\_\_\_ PER \_\_\_\_\_ FROM \_\_\_\_\_  CERTIFIED COPY OF MINUTES TO SHERIFF  
 SWORN, EXAMINED AND DISCHARGED  PURGED OF CONTEMPT  ORDERED RELEASED  
 BAIL:  APPLIED \$ \_\_\_\_\_  EXONERATED \$ \_\_\_\_\_  FORFEITED  OTHER \_\_\_\_\_  
 BENCH WARRANT ORDERED FOR \_\_\_\_\_ BAIL \$ \_\_\_\_\_  
 SET FOR  COURT TRIAL  JURY TRIAL ON \_\_\_\_\_ AT 8:45 AM. TIME ESTIMATE \_\_\_\_\_  
 JURY DEMANDED BY \_\_\_\_\_  JURY WAIVED BY \_\_\_\_\_  
 TRIAL COUNSEL PLAINTIFF \_\_\_\_\_ DEFENDANT \_\_\_\_\_  
 SETTLEMENT CONFERENCE ON  WEDNESDAY PRIOR TO TRIAL  ON \_\_\_\_\_

OTHER ORDERS: Request for Judicial Notice is granted as stated on the record.

- Relief Bond is to be posted for \$69,601.31.
- TRO is issued until 3-1-07.
- A preliminary injunction hearing will be set on 3-1-07 if necessary after 3-1-07 motion.
- There will be no undertaking.
- The plaintiff's request for a stay is denied.
- The Court finds the defendant is entitled to attorney fees, and will be heard at a future date.

Request for turnover is withdrawn by Mr. Goldowitz.