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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

HELMER, CONLEY & KASSELMAN,  
P.A., et al.,

Civil Action No.: 18-10927

Plaintiffs,

vs.

HARK AND HARK, et al.,

Defendants.

**TEMPORARY RESTRAINING  
ORDER AND ORDER FOR  
HEARING ON PRELIMINARY  
INJUNCTION**

AND NOW, on this 26<sup>th</sup> day of June, 2018, upon consideration of the Motion for Temporary and Restraining Order and Preliminary Injunction of Plaintiffs, and it appearing that: (a) Plaintiffs have demonstrated a reasonable probability of eventual success on the merits; (b) Plaintiffs will suffer immediate and irreparable harm not compensable in monetary damages unless injunctive relief is granted; (c) greater injury would result from a refusal to grant the injunctive relief requested than would result from granting such relief; and (d) the public interest would not be adversely affected by granting the injunctive relief requested;

IT IS HEREBY ORDERED THAT:

1. Plaintiffs' Motion for Temporary and Restraining Order and Preliminary Injunction be and is hereby GRANTED.

2. Defendants and their officers, partners, agents, subcontractors, servants, employees, affiliates, related companies, and all other acting in concert or participating with them are hereby enjoined and restrained from:

a. ~~Purchasing keywords that are identical or substantially similar to Plaintiffs' names;~~

b. ~~Bidding on keywords that are identical or substantially similar to Plaintiffs' names;~~

c. Making use of Plaintiffs' names in a manner that is likely to confuse actual and potential clients into believing that the legal services that are the subject of Defendants' advertising are sponsored by, affiliated with, or otherwise tacitly endorsed by Plaintiffs, ~~and~~ including *but not limited to the use of "Helmer Conley Kasselman" or any derivation in conjunction with www.criminalcivillawyer.com.*

d. ~~Engaging in any other act constituting unfair competition or deceptive practices with Plaintiffs.~~

3. ~~Defendants shall, within five (5) days of the date of this Order, provide Plaintiffs' counsel with an itemized list of any and all contracts with search engine operators (e.g., Google, Bing, Yahoo!, and AOL), through which Defendants have bid on or purchased keywords that are identical or substantially similar to Plaintiffs' names and a sworn declaration signed by Defendants attesting to the following:~~

a. ~~that Defendants have conducted a complete and thorough search for any and all contracts with search engine operators for keywords purchased or bid upon;~~

b. ~~that Defendants have cancelled all such contracts, and~~

c. ~~that Defendant will immediately cease and desist from any further use of Plaintiffs' names or derivations thereon in connection with any advertising or marketing purposes.~~

4. Defendants shall preserve the integrity and security of all documents, electronic data, computer equipment, and any other material that may be discoverable pursuant to the Federal Rules of Civil Procedure in this action.

5. Defendants shall appear and show cause before this Court at 3 o'clock in the after noon, or as soon thereafter as counsel can be heard, on the 6<sup>th</sup> day of July, 201<sup>8</sup>7, why a Preliminary Injunction should not be issued.

6. Plaintiffs shall serve a copy of this Order upon all other parties or their attorneys, if any, within 2 days of the date of this Order.

*At Camden, New Jersey*

*Noel C. Fiume*  
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U.S.D.J.