

CERTIFICATE OF SERVICE

The undersigned attorney certifies that he caused the attached 4/16/10 Order to be served on April 16, 2010, via Email and U.S. Mail, postage prepaid, upon:

Julia Forte, individually 624 Holly Springs Rd. - #303 Holly Springs, NC 27540	Julia Forte d/b/a 800Notes.com Advent LLC 624 Holly Springs Rd. - #303 Holly Springs, NC 27540
Julia Forte d/b/a whocallsme.com 624 Holly Springs Rd. - #303 Holly Springs, NC 27540	Jamon Silva, individually 65 Winter St. Lexington, MA 02420
Jamon Silva d/b/a whocalled.us.com 65 Winter St. Lexington, MA 02420	


Richard P. Darke

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, CHANCERY DIVISION

HOULIHAN SMITH & COMPANY,)
 INC.® and HOULIHAN SMITH)
 ADVISORS, LLC,)

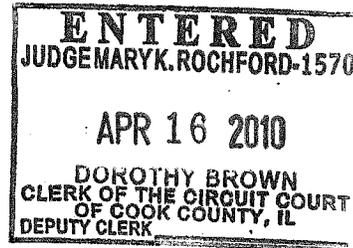
Plaintiffs,)

v.)

Case No. 10 CH 16477

JULIA FORTE, individually;)
 JULIA FORTE d/b/a 800Notes.com)
 Advent LLC;)
 JULIA FORTE d/b/a whocallsme.com;)
 JAMON SILVA, individually;)
 JAMON SILVA d/b/a whocalled.us.com;)
 JOHN DOES 1-30; and)
 JANE DOES 1-30,)

Defendants.)



TEMPORARY RESTRAINING ORDER

This matter coming to be heard on the Motion For Temporary Restraining Order of Plaintiffs, Houlihan Smith & Company, Inc.® and Houlihan Smith Advisors, LLC and their principals, employees, agents and representatives who are authorized to maintain this action on their behalf; Plaintiffs having shown a likelihood of success on the merits of their claims for defamation *per se* (Count I), violation of the Illinois Trademark Registration and Protection Act, 765 ILCS 1036/615 (Count II); violation of the Illinois Right of Publicity Act, 765 ILCS 1075/et seq. (Count IV); intentional interference of prospective business opportunity (Count V); violation of the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS 510/1 (Count VI); violation of the Illinois Consumer Fraud and Deceptive Trade Practices Act, 815 ILCS 505/1 (Count VII); consumer law misappropriation (Count VIII); and injunctive relief (Count IX). Plaintiffs having further shown that they have suffered irreparable harm as a result of Defendants' false statements

with supporting Memorandum and Affidavits, and Verified Complaint for Injunctive and other Relief, and Additional Exhibits filed in court

and will continue to suffer irreparable harm if a temporary restraining order does not issue; Plaintiffs having shown that they have suffered irreparable harm to their reputations in their communities, to their business relationships, and in their business or prospective business relationships, including dilution and tarnishment of the Houlihan tradename and Marks (as defined in the Complaint), injury to competitive advantage, damage to goodwill both within their companies and in their businesses, hampering their ability to hire new employees, loss of revenue, and the potential loss of future business, all as a result of Defendants' defamatory statements and misuse and misappropriation of Plaintiffs' trademarks, and will continue to suffer irreparable harm if a temporary restraining order does not issue; Plaintiffs having shown that the balance of the hardships weighs in their favor; and the Court finding that the public interest is best served by issuing a temporary restraining order.

The Court further finding that Plaintiffs have made reasonable and good faith efforts to serve notice of their motion for temporary restraining order on the Website Defendants, and that it appears from the Affidavits and verified facts that immediate and irreparable injury will result before notice.

IT IS HEREBY ORDERED that the Website Defendants, *Julia Forte, individually, and d/b/a 800 Notes.com Advent LLC and Jamon Silva, individually and d/b/a whocalledus.com* their officers, agents, servants, employees, and attorneys, and those persons acting in concert or participation with them, or any one of them, who receive actual or constructive notice of this order by personal service or otherwise, shall:

(a) block all statements, including statements published via pseudonyms, of a factual nature, or which appear to be of a factual nature, regarding Houlihan Smith & Company, Inc.® and Houlihan Smith Advisors, LLC, or any of their principals, employees, agents and representatives; and

(b) block all reference to the defamatory statements from the Websites, including but not limited to any use of names, words, designations or symbols consisting or otherwise similar to the Houlihan Marks, marks, service marks, names and identities of Plaintiff's principals, employees, agents, and representatives from any HTML text, buried code, metatags, search terms, keywords, key terms, hit generating pages, or any other device used, intended, or likely to cause any website of Defendants to associate the Plaintiffs with the defamatory materials at issue here or the intellectual property rights.

IT IS FURTHER ORDERED that the Website Defendants shall block any and all of the individuals and/or entities who originally posted the defamatory postings from posting or otherwise publishing any defamatory statements about Plaintiffs and their principals, employees, agents or representatives or concerning the Houlihan Smith trademarks and name.

IT IS FURTHER ORDERED that this injunction is entered without need of bond.

IT IS FURTHER ORDERED that the Plaintiffs shall issue subpoenas to the Website Defendants directing them to provide Plaintiffs with all information concerning the individuals and/or entities that have published the defamatory materials, including their IP address, name, address, telephone number, email address and any other information necessary to identify the individual and/or entity responsible for the defamatory statements about Plaintiffs and their agents.

IT IS FURTHER ORDERED that this matter is scheduled for a hearing on Plaintiff's *MICR*
~~preliminary injunction~~ for April 27, 2010 at 2:30 p.m. in Courtroom 2308 for Status, scheduling
of a preliminary injunction hearing, and Plaintiffs' oral motion for expedited discovery.

Dated: April 16, 2010

Time: 4:13 pm

ENTERED:

MICROCHORD

Judge, Circuit Court of Cook County, Illinois

