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April 21, 2010

EMAIL AND U.S. MAIL

Mr. Paul Alan Levy  
Public Citizen Litigation Group  
Public Citizen Litigation Group  
1600 - 20th Street, N.W.  
Washington D.C. 20009

Steven Platt  
Arnold and Kadjan  
19 West Jackson Blvd  
Chicago, Illinois 60604

Dear Counsel:

I write concerning the failure of your clients, Julia Forte, Julie Forte d/b/a 800Notes.com and Julia Forte d/b/a Whocallsme.com (the "Forte Defendants") to fully comply with the temporary restraining order entered against the Forte Defendants by Judge Rochford of the Circuit Court of Cook County on April 16, 2010. A copy of the TRO is attached to this letter as Exhibit A. Paragraphs (a) and (b) of the TRO provides:

**IT IS HEREBY ORDERED** that the Website Defendants, 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

NEW YORK  
LONDON  
SINGAPORE  
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HOUSTON  
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WILMINGTON  
CHERRY HILL  
PRINCETON  
LAKE TAHOE  
HO CHI MINH CITY

Mr. Paul Alan Levy  
Steven Platt  
April 21, 2010  
Page 2

(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.

(See TRO, p. 2-3.)

While the Forte Defendants have blocked access to the actual postings contained on 800Notes.com and Whocallsme.com, the Forte Defendants continue to disseminate the defamatory statements and use Plaintiffs' intellectual property through their metatags all of which appear on Google.com and Yahoo.com. A representative sample of search results for Plaintiffs through Google.com and Yahoo.com on April 21, 2010, identifying the continued use of the Plaintiffs' intellectual property rights and dissemination of the defamatory statements through the Forte Defendants' websites are attached to this letter as Exhibit B.

On behalf of Plaintiffs, we hereby demand that the Forte Defendants immediately bring themselves into full compliance with the Court's Temporary Restraining Order.

Very truly yours,



Richard P. Darke

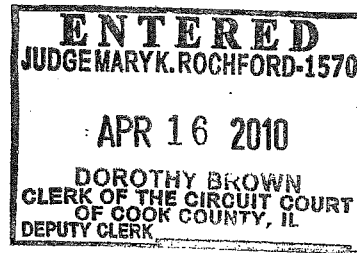
RPD:ga  
Enclosures

Rosanne Ciambrone  
Michael A. Reiter

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

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

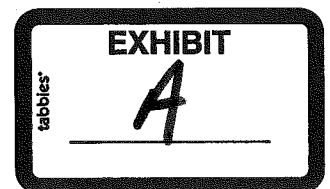
Case No. 10 CH 16477



**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 1036/6I5 (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, 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

Julia Forte, individually.  
and d/b/a 800Notes.com  
Advent LLC  
and Jamon  
Silva,  
individually  
and d/b/a  
whocalledus.  
com

(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.

*MWR*

**IT IS FURTHER ORDERED** that this matter is scheduled ~~for a hearing on Plaintiff's~~  
~~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

**ENTERED**  
JUDGE MARY K. ROCHFORD-1570  
APR 16 2010  
DOROTHY BROWN  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY, IL  
DEPUTY CLERK

Mr. Paul Alan Levy  
Steven Platt  
April 21, 2010  
Page 3

**EXHIBIT B**

Web [Images](#) [Videos](#) [Maps](#) [News](#) [Shopping](#) [Gmail](#) [more](#) ▾

[Web History](#) | [Search settings](#) | [Sign in](#)

Google

Houlihan Smith scam

Search

[Advanced Search](#)

Web [Show options...](#)

Results 1 - 10 of about 24,300 for **Houlihan Smith scam**. (0.16 seconds)

[3124995900 - who calls me from 312-499-5900? 1/5](#)

20 posts - 20 authors - Last post: Feb 11, 2009

[www.ripoffreport.com](#) and type in **Houlihan Smith!** ... Once the **scam** was complete and Houlihan had all of our cash reserves and we couldn't ...

[whocallsme.com/Phone-Number.aspx/3124995900](#) - [Cached](#) - [Similar](#)

[Ripoff Report: 100% CUSTOMER SATISFACTION FOUND: Houlihan Smith ...](#)

**Houlihan Smith Ripoff Fraud Scam** etc. Chicago Illinois I was stupid enough to take a job with this strong armed **scam** company that calls itself an investment ...

[www.ripoffreport.com/.../Houlihan-Smith/100-customer-satisfaction-fou-725de.htm](#) -

[Cached](#) - [Similar](#)

[Ripoff Report: INVESTIGATION: Houlihan Smith & Company Inc ...](#)

**Houlihan Smith & Company** implemented strategic changes to insure clients ... who work for Houlihan are former IPA employees looking to do the same **scam**. ...

[www.ripoffreport.com/.../Houlihan-Smith.../investigation-houlihan-smith-b46dd.htm](#) -

[Cached](#) - [Similar](#)

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[312-499-5900 / 3124995900 1/9](#)

**Houlihan Smith** is nothing like IPA. The sad part is that many of your ... I'm more inclined to write them off as **scam** artists along with 98% of the other ...

[800notes.com/Phone.aspx/1-312-499-5900](#) - [Cached](#) - [Similar](#)

[Getting calls from 312-499-5900? 4/9](#)

Houlihan clearly is a **scam**. but you can't put them in the same class as Goldman or ... Stan DeGaulle from **Houlihan-Smith** calls and acts like he is an old ...

[800notes.com/Phone.aspx/1-312-499-5900/4](#) - [Cached](#) - [Similar](#)

[Show more results from 800notes.com](#)

[312-499-5900: who called us from 3124995900?](#)

I dont know why people think they are a **scam**, they are regulated heavily. ... Logan seems to go to all the bad comment websites for **Houlihan Smith** and makes ...

[phoneowner.info/Number.aspx/3124995900](#) - [Cached](#) - [Similar](#)

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Mr. Paul Alan Levy  
Steven Platt  
April 21, 2010  
Page 4

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[Web History](#) | [Search settings](#) | [Sign in](#)

Google

houlihan smith ex-con

Search

[Advanced Search](#)

Web [Show options...](#)

Results 1 - 10 of about 6,150 for **houlihan smith ex-con**. (0.37 seconds)

[312-499-5900 Phone Number Details 3/5](#)

20 posts - 20 authors - Last post: Jan 21

For all you know business owners you could be giving your company's financial info to an **ex-con**. I want to see what **houlihan smith** has to ...

whocallsme.com/Phone-Number.aspx/3124995900/3 - [Cached](#)

[1-312-499-5900 / 13124995900 9/9](#)

Good to hear I'm not the only one bothered by **Houlihan Smith**. .... senior associate who collected checks in the field for HS Advisors LLC was an **ex-con** who ...

800notes.com/Phone.aspx/1-312-499-5900/9 - [Cached](#)

[ObamaCare Signing: \*\*Ex-con\*\* at the Scene of the Crime | Conservative ...](#)

Mar 25, 2010 ... ObamaCare Signing: **Ex-con** at the Scene of the Crime ..... Harmony Leland Elementary School, Harry Reid, Harry **Smith**, harryhausen .... Mary Brett, Mary Cheney, Mary Ford, Mary **Houlihan**, Mary Matalin, Mary-Rose Abraham ...

www.conservativeblogwatch.com/.../obamacare-signing-ex-con-at-the-scene-of-the-crime/ - [Cached](#)

[Governor Paterson's Right-Hand Man Is Abusive \*\*Ex-Con\*\* ...](#)

Feb 17, 2010 ... Governor Paterson's Right-Hand Man Is Abusive **Ex-Con** ..... Harmony Leland Elementary School, Harry Reid, Harry **Smith**, harryhausen .... Mary Brett, Mary Cheney, Mary Ford, Mary **Houlihan**, Mary Matalin, Mary-Rose Abraham ...

www.conservativeblogwatch.com/.../governor-patersons-right-hand-man-is-abusive-ex-con/ - [Cached](#)

[The cephalopod heart: The evolution of a high-performance ...](#)

by M.J. Wells - 1992 - [Cited by 10](#) - [Related articles](#)

Duthie, **Houlihan**, **Smith** and Wells 37 measured blood ..... 10 Houlihan, D. F., Innes, A. J., Wells, M. J., and Wells, J., Oxygen con- ... 12 Johansen, K., Redmond, J. R., and Bourne, G. B., Respiratory ex- ...

www.springerlink.com/index/LT014L73V2612472.pdf - [Similar](#)

[\[PDF\] Chicago News Online](#)

File Format: PDF/Adobe Acrobat - [Quick View](#)

As such, we need to keep improving our chapter so that we can con- .... are encouraged to bring photos, drawings and other documents regarding their own subject property to ex- .... Anthony

Done

Internet

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Mr. Paul Alan Levy  
Steven Platt  
April 21, 2010  
Page 5

boss is actually a very nice man, and if I had put John H. through, my boss would have humored him for a few minutes, and then firmly ended the conversation. Why must these jokers waste our time?

Caller: **Houlihan**

Reply | 1



**Warning**  
6 Apr 2010

This company is the biggest scam on the face of the earth and it is definitely a lawsuit waiting to happen. In fact, I know they are being looked at. It's sad that a man, **Andy Smith**, who seems like such a family guy is a **scam artist**. He has no clue what he is talking about as far as valuations. They hire kids to do the reports and if you are given a quote, don't believe it. They will find a way to squeeze more money out of you. They charge \$2500/cusip and they've valued those cusip's a million times. They cut/paste and receive \$20,000 for something that took a half hour. If a company asks **Houlihan** if they provide a certain service and they have never done it, they will tell you they have, try to figure it out, deliver the report late and in horrible quality. Auditors have not accepted these reports and the company is forced to spend more money. Charles Botchway is an ex-con for a scam involving commodities. Check out their website. That's why he is not listed under the professionals tab. They paid Rip Off report a lot of money to remove all the complaints. And everything I read about the "boiler room" is true. They pass around folders of companies and don't put the phone down. They are trained to be rude to administrative assistants and they will get the wrath of Charles if not. They are verbally abusive to their employees. Both the 3rd floor and 15th floors are scams. DO NOT TRUST THEM WITH YOUR MONEY!!! I can't wait for the day they finally get busted. It won't be too much longer I can assure you.

Caller: **Houlihan Smith**

Reply | 1



**Jack**  
12 Apr 2010

**Houlihan** is an outstanding company. Any reports that is anything but an outstanding company are entirely untrue.

Caller: 3124995900

Reply | 1



**A grown-up replies to Jack**  
12 Apr 2010

Good try at putting a complete sentence together...next thing you know you will be able to recite the

Mr. Paul Alan Levy  
Steven Platt  
April 21, 2010  
Page 6

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Web History | Search settings | Sign in

Google

houlihan smith complaints

Search

Advanced Search

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Results 1 - 10 of about 154,000 for houlihan smith complaints. (0.14 seconds)

[3124995900 - who calls me from 312-499-5900? 1/5](#)

20 posts - 20 authors - Last post Feb 11, 2009

If he calls back I'll put him on hold and leave him there until he hangs up. At least I did what he said! A\$\$ hole. Caller: **Houlihan Smith** ...

[whocallsme.com/Phone-Number.aspx/3124995900](#) - [Cached](#) - [Similar](#)

[312-499-5900 calls 7/9](#)

Jan 15, 2009 ... **Houlihan Smith** is just not right. They dont care about building ... What's amazing is that despite many many **complaints** above these guys are ...

[800notes.com/Phone.aspx/1-312-499-5900/7](#) - [Cached](#) - [Similar](#)

[Houlihan Smith and Co. | Better Business Bureau Review | Chicago, IL](#)

Jump to [Customer Complaint History](#): BBB processed a total of 3 **complaints** about **Houlihan Smith & Co. Inc.** in the last 36 months, our standard reporting ...

[www.bbb.org/.../houlihan-smith-and-in-chicago-il-88269019](#) - [Cached](#) - [Similar](#)

[Ripoff Report: INVESTIGATION: Houlihan Smith & Company Inc ...](#)

INVESTIGATION: **Houlihan Smith & Company Inc.** pledges to resolve **complaints**. Commitment to Rip-off Report Corporate Advocacy Business Remediation & Customer ...

[www.ripoffreport.com/.../Houlihan-Smith...investigation-houlihan-smith-b46dd.htm](#) - [Cached](#) - [Similar](#)

[Ripoff Report: INVESTIGATION: Houlihan Smith & Company Inc ...](#)

**Houlihan Smith & Company** recognizes that **complaints** posted on Rip-off Report (true or not) are issues that need to be addressed and if handled correctly can ...

[www.ripoffreport.com/.../Houlihan-Smith...investigation-houlihan-smith-m645c.htm](#) - [Cached](#) - [Similar](#)

[Show more results from www.ripoffreport.com](#)

[Houlihan Smith & Co., Inc. - Houlihan Smith Arranges Non-Control ...](#)

Jan 27, 2009 ... **Houlihan Smith & Co., Inc.** acted as the exclusive advisor in arranging ... **Whistleblowers' Complaints** Lead Eli Lilly to Pay \$800 Million to ...

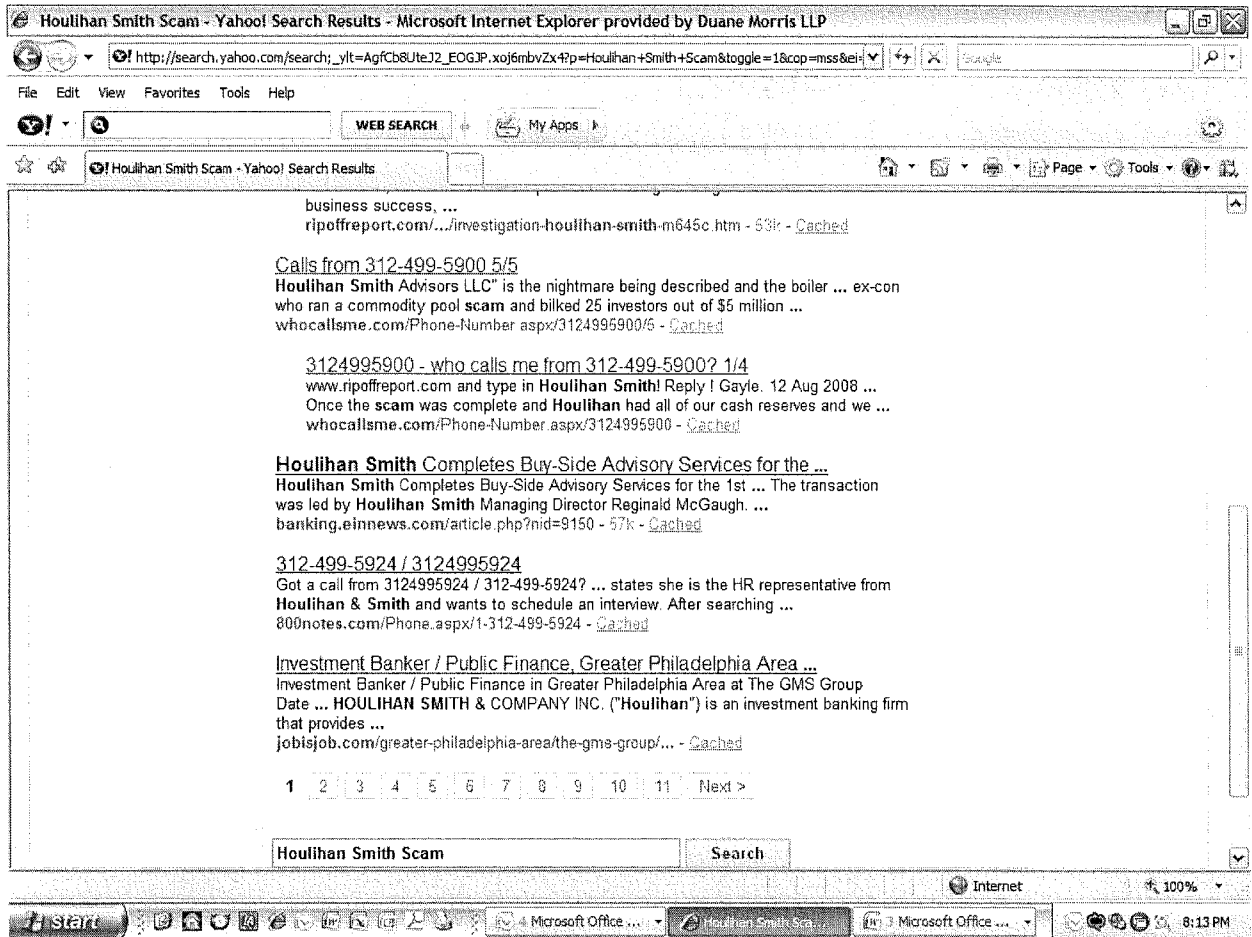
[www.newerx.com/newsletters/Drug.../22012720091195DL.html](#) - [Cached](#)

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Mr. Paul Alan Levy  
Steven Platt  
April 21, 2010  
Page 7



Hi Guest Sign In Help Make Yahoo! your homepage Mail

Web Images Video Local Shopping News More

**YAHOO!**   Options

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281 results for **Houlihan Smith "ex-c-...**

- Search Pad
- SearchSear - Pa
- Show All
- Blockbuster
- CD Universe
- IMDb
- Shopping Sites

**Calls from 312-499-5900 5/5**  
Houlihan Smith Advisors LLC is the nightmare being described and the boiler ... an **ex-con** who ran a commodity pool scam and bilked 25 investors out of \$5 ...  
[whocallsme.com/Phone-Number.aspx/3124995900/5](http://whocallsme.com/Phone-Number.aspx/3124995900/5) - [Cached](#)

**ObamaCare Signing: Ex-con at the Scene of the Crime ...**  
Convicted felon Robert Creamer, who wrote the blueprint for the Democrats' health care reform campaign, attended official health care signing celebrations in ...  
[conservativeblogwatch.com/2010/03/25/...](http://conservativeblogwatch.com/2010/03/25/) - [210k](#) - [Cached](#)

**Movies that start with T**  
List of movies that starts with letter T. DVD, DnX, PDA and iPod versions available ...  
Mike Houlihan, Ben Vereen, Paddy Houlihan, Jim Crago, Jason Abustan, Noel Bax, Bill ...  
[www.movie2b.com/letter/t.html?page=2](http://www.movie2b.com/letter/t.html?page=2) - [216k](#) - [Cached](#)

**Alan Toy Movies**  
Rent Alan Toy movies at Blockbuster. Your online source for Alan Toy movies, biography ... Kennedy (Matt Dillon), a charming **ex-con** who convinces Wade to accompany him to his ...  
[www.blockbuster.com/browse/catalog/personDetails/105414](http://www.blockbuster.com/browse/catalog/personDetails/105414) - [75k](#) - [Cached](#)

**Born in 1944**  
President, Smith College. Roger Christian. Film Director. 25-Feb-1944. Battlefield Earth ...  
**Ex-con** turned character actor. David Trimble. Head of State. 15-Oct-1944 ...  
[www.nndb.com/lists/943/000105623](http://www.nndb.com/lists/943/000105623) - [213k](#) - [Cached](#)

**Holby City (an Episode Guide)**  
A guide to the TV series Holby City with episode descriptions, original air dates, cast listing, writers and directors.  
[epguides.com/HolbyCity/guide.shtml](http://epguides.com/HolbyCity/guide.shtml) - [610k](#)

**The Beachwood Reporter**  
**Smith:** 117 Rec. YDs. 2 TDs. Okay, we were at least on the right track with Campbell. We ... **Smith** was a bulls-eye. Now, who will be our second-half stars? A look at some of the ...  
[www.beachwoodreporter.com/2008/10/](http://www.beachwoodreporter.com/2008/10/) - [654k](#)

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Done Internet 100%