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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DUSTIN LANCE BLACK, an individual,

Plaintiff,

v.

STARZLIFE, INC., an entity of unknown form d/b/a Starzlife and d/b/a Starzlife.com; NATHANIEL THOMAS CONRAD FOLKS, an individual; MICHAEL LAWRENCE, an individual; TRACI RAITT, an individual; SCOTT ALLEN ENTERTAINMENT, INC., an unregistered fictitious entity; STEVEN LENEHAN, an individual; KELLY STAGG-LENEHAN, an individual; SERGEY KNAZEV, an individual; JESSICA JOHNSON, an individual; ZAC ALBRIGHT, an individual; and DOES 1-10, inclusive,

Defendants.

CASE NO. CV09-5380 RGK (RCx)  
Hon. R. Gary Klausner

~~PROPOSED~~ ORDER GRANTING PERMANENT INJUNCTION AS TO NATHANIEL THOMAS CONRAD FOLKS

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1 The Court having considered that Plaintiff Dustin Lance Black (“Black”  
2 and/or “Plaintiff”), on the one hand, and Defendant Nathaniel Thomas Conrad Folks  
3 (“Folks”), on the other hand, stipulated to judgment to be entered against Defendant  
4 Folks, including in the form of the entry and issuance of the following Permanent  
5 Injunction on the terms set forth in said parties’ Stipulation and Order thereon,  
6 pursuant to which Folks expressly waives any objection and expressly stipulates to  
7 the factual and legal basis for entry thereof and to the issuance of a Permanent  
8 Injunction order as requested by Black;

9 AND, the Court having considered the Joint Stipulation for Entry of Monetary  
10 Judgment and for Entry of Permanent Injunction against Folks, the Complaint, the  
11 declarations and memorandum of points and authorities presented by Plaintiff in  
12 support of the Application for Preliminary Injunction, and any other papers,  
13 evidence or arguments presented in connection with Plaintiff’s Application;

14 **IT IS HEREBY ORDERED THAT:**

15 1. DEFENDANT Nathaniel Thomas Conrad Folks (“Folks”), and each  
16 of his entities, companies and fictitious d/b/a’s (including as to any of his share,  
17 ownership and/or interest in the fictitious unregistered entity, partnership or dba  
18 referred to as Scott Allen Entertainment), and his agents, partners, servants,  
19 employees, representatives and attorneys, and all those in active concert or  
20 participation with Folks, and each of them (collectively, the “Folks Related-  
21 Parties”), are hereby PERMANENTLY:

22 (a) RESTRAINED and ENJOINED from displaying, posting for  
23 view or access on or through the Internet or in any other manner or in any other  
24 format or medium or outlet, and from publishing, distributing, broadcasting,  
25 transferring, exploiting, attempting to exploit, selling or licensing, offering to sell  
26 or license, facilitating the sale or licensing of, and/or otherwise disseminating, the  
27 Video, Photos and/or Property (each as defined hereinbelow), and from making any  
28 use of the Video, Photos and/or Property or images thereof or any information

1 contained therein, all whether in electronic or hard-copy form or in any other  
2 manner; and

3 (b) RESTRAINED and ENJOINED from infringing and making any  
4 unauthorized use of Black's name, photograph, image, likeness and/or persona  
5 and/or the Videos or Photos in connection with any commercial purpose(s),  
6 including on the internet to advertise, sell, license and/or exploit the Video and  
7 Photos;

8 2. Folks, and the Folks Related-Parties, and each of them, are hereby  
9 further (subject to sub-paragraph (g) below):

10 (a) ORDERED to immediately deliver and turn-over to Plaintiff's  
11 counsel, each and every copy of the Video and/or any of the Photos and/or Property  
12 in their possession, control or custody, that exists in a *tangible hard-copy form*,  
13 including turning over any copies on any print-outs, hard-copies, portable storage  
14 devices, CD's, DVD's and/or flash drives (collectively, a "Portable Device")  
15 containing the same;

16 (b) ORDERED to immediately delete and destroy each and every  
17 electronically stored copy of the Video and/or any of the Photos and/or Property in  
18 their possession, control or custody, that exists in any format or medium in a *non-*  
19 *tangible form or which does not reside on a Portable Device* (in contrast to material  
20 on a Portable Device as referenced in sub-paragraph (a) above), including as may  
21 exist on any stationary storage devices or systems, servers, computer CPU's,  
22 laptops, in any online storage account systems, e-mail accounts or networked drives  
23 (collectively, "Non-Portable Formats"), with said deletion and destruction in such  
24 a manner that reasonably assures complete and permanent destruction of such  
25 property without ability to resurrect or undelete the same;

26 (c) ORDERED to immediately recall, retrieve and obtain through  
27 Folks' and the Folks Related-Parties' best efforts the Video and any and all Photos  
28 and Property, and all copies thereof, in any format or medium, from any persons or

1 entities who received possession of any of said material from Folks and/or the Folks  
2 Related-Parties', and to either destroy such property in a manner consistent with  
3 Section 2(b), or alternatively, as possible, to deliver to Black's counsel all copies of  
4 the Video and/or any of the Photos and/or Property so retrieved under this section;

5 (d) ORDERED to immediately give notice (along with a copy of this  
6 Order) to any and all persons and entities who have or had copies of any part of the  
7 Video or any of the Photos or any of the Property, received by/through Folks and/or  
8 the Folks Related-Parties', that they are permanently restrained and enjoined by  
9 Court Order from displaying, posting for view or access on or through the Internet  
10 or in any other manner or in any other format or medium or outlet, and from  
11 publishing, distributing, broadcasting, transferring, exploiting, attempting to exploit,  
12 selling or licensing, offering to sell or license, facilitating the sale or licensing of,  
13 and/or otherwise disseminating, the Video, Photos and/or Property, and from  
14 making any use of the Video, Photos and/or Property or images thereof or any  
15 information contained therein, and provide a copy of each said sent notice to  
16 Plaintiff's counsel;

17 (e) ORDERED to immediately provide (and from each Folks  
18 Related-Parties to the extent he/she/it had possession at any time of a copy of the any  
19 of the Property) a sufficient accounting to Black's counsel, under statement of  
20 penalty of perjury, which provides Black with a list documenting and accounting for:  
21 (i) every item of Property in their possession, control or custody, at any time present  
22 or past; and (ii) every item that was/is destroyed under paragraphs 2(b) and/or (c);  
23 and (iii) every item that was/is delivered and turned-over to Black's counsel; (iv)  
24 every item of Property provided, at any time, to any licensees and/or other persons  
25 or entities; and (iv) every item of Property recalled and/or retrieved from any  
26 persons or entities who received possession of any of said material from Folks  
27 and/or the Folks Related-Parties;

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1 (f) ORDERED to immediately provide Black’s counsel with a list of  
2 identifying information (containing to the extent known to Folks and/or the Folks  
3 Related-Parties, the name, address, telephone number, e-mail address and facsimile  
4 number) for all persons and entities who have or had copies of any part of the Video  
5 or any of the Photos or any of the Property, received by/through said Folks or any  
6 of the Folks Related-Parties.

7 (g) PROVIDED HOWEVER, to the extent that Folks and/or any  
8 particular Folks Related-Parties have already fully and completely complied with the  
9 requirements of the subparagraphs 2 (a) through (f) above in connection with the  
10 Court’s temporary restraining order and/or preliminary injunction, Folks and the  
11 particular Folks Related-Parties are relieved from having to comply with such  
12 subparagraphs for a second time. Counsel for Black and Folks shall work together  
13 in good faith to resolve any disputes concerning compliance herewith prior to  
14 seeking the Court’s intervention.

15 3. As used in this Order, the following definitions shall apply:

16 (a) The “Video” means and shall include the personal video, and any  
17 and all outtake photo images therefrom, that captures and/or features and/or includes  
18 Dustin Lance Black, either individually and/or with Jeff Delancy, engaged in explicit  
19 intimate physical sexual acts and/or which show either of their genitalia;

20 (b) The “Photos” means and shall include any and all of the photos  
21 that capture and/or feature and/or include Dustin Lance Black, either individually  
22 and/or with Jeff Delancy, engaged in explicit intimate physical sexual acts and/or  
23 which show either of their genitalia;

24 (c) The “Property” collectively means and shall include both all of  
25 the Video and Photos, and any and all outtake photo images, portions and/or  
26 derivative images therefrom.

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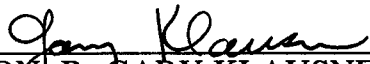
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**SERVICE OF PROCESS**

A copy of this Order shall be served upon Folks via telecopier, e-mail or Federal Express or similar delivery service, or through telecopier, e-mail or mail service on his designated counsel.

**IT IS SO ORDERED.**

Dated:   MAY - 4 2010  , 2010

  
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HON. R. GARY KLAUSNER  
UNITED STATES DISTRICT JUDGE