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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 AGAINST
KELLY STAGG LENEHAN

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

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

15 **IT IS HEREBY ORDERED THAT:**

16 1. DEFENDANT KELLY STAGG LENEHAN, individually and each of
17 her respective entities, fictitious entities, partnerships, affiliates, partnerships and
18 dba’s, registered or unregistered, or other means that she owns, directs and/or
19 controls, and her agents, partners, servants, employees, representatives and
20 attorneys, and all those in active concert or participation with Johnson (collectively,
21 the “Stagg Lenehan Related-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. Stagg Lenehan, and the Stagg Lenehan Related-Parties, and each of
9 them, are hereby 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 Stagg Lenehan's and the Stagg Lenehan Related-Parties' best efforts, the Video and
28 any and all Photos and Property, and all copies thereof, in any format or medium,

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

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

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

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

7 (g) PROVIDED HOWEVER, to the extent that Stagg Lenehan
8 and/or any of the Stagg-Lenehan Related-Parties have already 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, Stagg Lenehan
11 and the particular Stagg Lenehan Related-Parties are relieved from having to comply
12 with such subparagraphs for a second time. Counsel for Black and Stagg Lenehan
13 shall work together in good faith to seek to resolve any disputes concerning
14 compliance herewith prior to 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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SERVICE OF PROCESS

A copy of this Order shall be served upon Stagg Lenehan via either telecopier, e-mail or Federal Express or similar delivery service, or by copy to her designated counsel, if any.

This order shall NOT modify or affect the rights of any third parties not party to the stipulation underlying this Order. sic

IT IS SO ORDERED.

Dated: JUN 28 2010, 2010

Gary Klausner

HON. R. GARY KLAUSNER
UNITED STATES DISTRICT JUDGE