

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**

**JAY DARDENNE, AS  
LIEUTENANT GOVERNOR OF  
THE STATE OF LOUISIANA AND AS  
COMMISSIONER OF THE LOUISIANA  
DEPARTMENT OF CULTURE,  
RECREATION AND TOURISM**

**CIVIL ACTION NO:** \_\_\_\_\_

**VERSUS**

**SECTION:** \_\_\_\_\_

**MOVEON.ORG CIVIL ACTION**

**MAGISTRATE JUDGE:** \_\_\_\_\_

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**PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

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**NOW INTO COURT**, through undersigned counsel, comes Jay Dardenne in his official capacity as the Lieutenant Governor of the State of Louisiana and as the Commissioner of the Department of Culture, Recreation and Tourism, who, for the reasons more fully set forth in his *Complaint* and the *Memorandum in Support of Plaintiff's Motion for Preliminary Injunction*, respectfully moves this Honorable Court for entry of a preliminary injunction to remain effective during the pendency of these proceedings:

- (a) Prohibiting MoveOn.org from using anything other than the mere words contained in the Service Mark, thus prohibiting the use of the font style, the substitution of exclamation points for the letter "I" in the word "Louisiana," the copy of the photograph of the plate of crawfish taken from the Department's website, and art work and colors that are taken from the Service Mark; and
- (b) Ordering the removal of all billboards or the portion thereof, or other reproduction

of any image or the portion thereof that is a substantial and colorable imitation of the Service Mark from the public view.

Plaintiff moves this Honorable Court issue a Rule to Show Cause to the defendant, MoveOn.org Civil Action, requiring it to appear on a date certain and show cause, if any it can, why a preliminary injunction should not be issued in the form of that proposed by the plaintiff.

**WHEREFORE**, Plaintiff prays that a copy of the *Complaint, Plaintiff's Motion for Preliminary Injunction, Plaintiff's Memorandum in Support of Plaintiff's Motion for Preliminary Injunction* be served upon the defendant, that it be cited to appear and show cause, if it can, at a date and time to be fixed by the Court, why a preliminary injunction should not be issued herein, to remain effective during the pendency of these proceedings:

- (a) Prohibiting MoveOn.org from using anything other than the mere words contained in the Service Mark, thus prohibiting the use of the font style, the substitution of exclamation points for the letter "I" in the word "Louisiana," the copy of the photograph of the plate of crawfish taken from the Department's website, and art work and colors that are taken from the Service Mark; and
- (b) Ordering the removal of all billboards or the portion thereof, or other reproduction of any image or the portion thereof that is a substantial and colorable imitation of the Service Mark from the public view.

**Respectfully submitted,**

*S/ Dale R. Baringer*

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