

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

E360INSIGHT, LLC,	)	
an Illinois Limited Liability Company, and	)	
DAVID LINHARDT, an individual	)	
	)	
Plaintiffs,	)	<b>06 CH 12259</b>
	)	
v.	)	
	)	
THE SPAMHAUS PROJECT,	)	
a company limited by guarantee and	)	
organized under the laws of England, aka	)	
THE SPAMHAUS PROJECT LTD,	)	
	)	
Defendant.	)	

**TEMPORARY RESTRAINING ORDER**

This cause coming on to be heard on Plaintiffs’ Motion for Temporary Restraining Order, notice having been given to Defendants by Federal Express and by email at admin-generic@spamhaus.org; Defendants not appearing; the Court having considered Plaintiffs’ Complaint and Amended Complaint, Plaintiffs’ Motion for Temporary Restraining Order, the Affidavit of David Linhardt, and Plaintiffs’ Memorandum of Law in support thereof; and the Court having considered the arguments of counsel, finds as follows:

- A. Plaintiffs have shown that they have a clearly ascertainable right in need of protection that is, the continuation of E360Insight as a going concern;
- B. Plaintiffs have shown that there is a fair question that Plaintiffs will succeed on the merits in that there appears to be an issue as to whether Defendant, The Spamhaus Project, aka The Spamhaus Project Ltd., properly included E360Insight and David Linhardt on the ROKSO list;

- C. Plaintiffs have shown that they will suffer irreparable harm if an injunction does not issue, namely that E360Insight will cease operating; and
- D. Plaintiffs have shown that they have no adequate remedy at law or in equity, because damages will not compensate for E360Insight, LLC or David Linhardt's loss of good will or damage to reputation, nor reestablish E360Insight, LLC as a going concern.

Wherefore, IT IS HEREBY ORDERED as follows:

- 1. Plaintiffs' Motion for a Temporary Restraining Order is granted.
- 2. A Temporary Restraining Order, without bond, is entered to commence Monday, July 24, 2006 at 5:00 p.m. CDT (10:00 p.m. GMT), requiring Defendant The Spamhaus Project, aka The Spamhaus Project Ltd. to remove any reference to Plaintiffs e360Insight, LLC and David Linhardt, or either of them, from Spamhaus' Registry Of Known Spam Operations ("ROKSO") list (listings identified as ROK3795, ROK6763, ROK7776, ROK4794, ROK3931, ROK6433, and ROK6764). Nothing in this Order shall preclude Defendants from determining, based on Spamhaus' criteria, that Plaintiffs' future actions warrant inclusion on the ROKSO list.
- 3. This Temporary Restraining Order shall remain in full force and effect pending the final hearing on Plaintiffs' Motion for Preliminary Injunction, unless sooner modified or dissolved.
- 4. For good cause shown bond is waived.
- 5. Plaintiffs are granted leave to serve expedited discovery on Defendants.

6. Plaintiffs are to serve a copy of this Order on Defendants by through the same process server who served Defendants with the Summons and Complaint and also by email at [admin-generic@spamhaus.org](mailto:admin-generic@spamhaus.org).

7. This matter is set for a status hearing on Wednesday, July 26, 2006 at 10:15 a.m. in Room 2402.

8. This Temporary Restraining Order is entered at 9:58 a.m. on July 20, 2006.

Dated: July 20, 2006

