

FILED

DEC 23 2009

JUDGE JAMES P. HURLEY

Reference No. 1248.91076

Account No. 140660

**HERTEN, BURSTEIN, SHERIDAN, CEVASCO,
BOTTINELLI, LITT & HARZ, L.L.C.**

Counsellors at Law

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Hackensack, New Jersey 07601

(201) 342-6000

Attorneys for Plaintiffs

Apex Technology Group, Inc. and Sarvesh Kumar Dharayan

**APEX TECHNOLOGY GROUP, INC., and
SARVESH KUMAR DHARAYAN,**

Plaintiffs,

v.

**JOHN DOE (S) 1-10 (being fictitious names
for persons not yet identified), and ABC
Corporation(s) 1-10 (being fictitious entities
not yet identified), admin@endh1b.com,
mmillere2006@yahoo.com,**

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO. MID-L-7879-09

CIVIL ACTION

ORDER

THIS MATTER, having been opened to the Court by Herten, Burstein, Sheridan, Cevasco, Bottinelli, Litt & Harz, L.L.C., attorneys for plaintiffs, Apex Technology Group, Inc. ("Apex") and Sarvesh Kumar Dharayan, (collectively "Plaintiffs") Patrick Papalia, Esq. appearing for the entry of the Order to Show Cause for Temporary and Preliminary Injunctive Relief, on notice to admin@endh1b.com, H1BScam and mmillere2006@yahoo.com, and the Court, having considered the Verified Complaint, Legal Brief and Certifications and submissions of the plaintiff and the initial submission of "John Doe" through its counsel who was, John Miano, Esq., who has now withdrawn from the action and having heard oral argument on

December 23, 2009, counsel for the plaintiff appearing and John Doe defendant not appearing through counsel or otherwise and the Court having found that John Doe has notice of the within Order to Show Cause application; and for good cause shown;

IT IS on this 23rd day of December, 2009,

ORDERED, that Comcast Cable Communications, Inc. shall immediately provide to Plaintiff any and all documents relating to and containing information as to the identity of the IP address identified as 76.112.208.127 in utilizing the e-mail address of "mmillere2006@yahoo.com" including but not limited to, account application forms and billing address and name information provided, however, that said disclosure shall be conditioned on: (a) Comcast having three (3) calendar days after service of this Order to notify the subscriber that his/her identity is sought by Plaintiffs; (b) each subscriber whose identity is sought having fourteen (14) calendar days from the date of such Comcast notice to file any papers contesting the Order; and it is further

ORDERED, that Yahoo! Inc. shall immediately but no later than December 28, 2009 provide to Plaintiff any and all documents relating to and containing information as to the identity of the IP address identified as 76.112.208.127 in utilizing the e-mail address of "mmillere2006@yahoo.com" including but not limited to, account application forms and billing address and name information; and it is further

ORDERED, that Facebook shall immediately but no later than December 28, 2009 provide to Plaintiff any and all documents relating to and containing information as to the identity of the individual or individuals utilizing the username "Tunnel Rat," including but not limited to, account application forms and billing address and name information; and it is further

ORDERED, that www.endh1b.com is temporarily and preliminarily enjoined and shall immediately remove any and all postings and references to Sarvesh Kumar Dharayan and Apex Technology Group, Inc. its officers, shareholders, employees, representatives and legal counsel until further order of this Court; and it is further

ORDERED, that www.itgrunt.com is temporarily and preliminary enjoined and shall immediately remove any and all postings and references to Sarvesh Kumar Dharayan and Apex Technology Group, Inc. its officers, shareholders, employees, representatives and legal counsel until further order of this Court; and it is further

ORDERED, that www.guestworkerfraud.com is temporarily and preliminarily enjoined and shall immediately remove any and all postings and references to Sarvesh Kumar Dharayan and Apex Technology Group, Inc. its officers, shareholders, employees, representatives and legal counsel at any time until further order of this Court; and it is further

ORDERED, that discount.ASP.NET is temporarily and preliminarily enjoined from hosting the website www.endh1b.com and shall immediately shut down and disable the website www.endh1b.com until further order of this Court; and it is further

ORDERED, that GoDaddy.com, Inc. is temporarily and preliminarily enjoined from hosting the website www.endh1b.com and shall immediately shut down and disable the website www.endh1b.com until further order of this Court; and it is further

ORDERED that Domains by Proxy, Inc. is temporarily and preliminarily enjoined from hosting the website www.itgrunt.com and shall immediately shut down and disable the website www.itgrunt.com until further order of this Court; and it is further

ORDERED that Samir Patel, c/o Network Solutions is temporarily and preliminarily enjoined from hosting the website www.guestworkerfraud.com and shall immediately shut down and disable the website www.guestworkerfraud.com until further order of this Court; and it is further

ORDERED that the defendant(s) posting and corresponding under the usernames admin@endh1b.com, H1BScam and mmillere2006@yahoo.com may move to modify or dissolve the temporary restraints contained herein on not less than three (3) days notice; and it is further

ORDERED that Plaintiff shall serve this Order by e-mail upon admin@endh1b.com on or before December 23, 2009 at the aforesaid e-mail address; and it is further

ORDERED that Plaintiff shall serve this Order by e-mail upon mmillere2006@yahoo.com on or before December 23, 2009 at the aforesaid e-mail address; and it is further

ORDERED that Plaintiff shall serve this Order upon counsel for Comcast Cable Communications, Inc., Monica Mosley, Esq. via e-mail at Monica.Mosley@Comcast.com and upon counsel for Comcast Cable Communications, Inc., Dennis Linken, Esq. via email at Linken@strykertams.com on or before December 23, 2009; and it is further

ORDERED that Plaintiff shall serve this Order upon DiscountASP.NET via e-mail at support@discountasp.net, via facsimile at (626) 628-3430, and via Federal Express 80 W. Sierra Madre Boulevard, Unit #273, Sierra Madre, California 91024, on or before December 24, 2009; and it is further

ORDERED that Plaintiff shall serve this Order upon GoDaddy.com, Inc. via facsimile at (480) 505-8844, and via Federal Express at 14455 N. Hayden Road, #226, Scottsdale, Arizona 85260, on or before December 24, 2009; and it is further

ORDERED that Plaintiff shall serve this Order upon Domains by Proxy, Inc. via facsimile at (480) 624-2598, and via Federal Express at 1511 N. Hayden Road, Suite 160, PMB 353, Scottsdale, Arizona 85260, on or before December 24, 2009; and it is further

ORDERED that Plaintiff shall serve this Order upon Samir Patel, c/o Network Solutions, P.O. Box 459, Drums, Pennsylvania 18222 via First Class Mail on or before December 24, 2009; and it is further

ORDERED that Plaintiff shall serve this Order upon Facebook via facsimile at (650) 543-4800 and via Federal Express at 1601 South California Avenue, Palo Alto, California 94304 on or before December 24, 2009; and it is further

ORDERED that Plaintiff shall serve this Order upon Yahoo! Inc. via facsimile at (408)349-3301 and via Federal Express at 701 First Avenue, Sunnyvale, California 94089 on or before December 24, 2009.


HONORABLE JAMES P. HURLEY, P.J.S.C.