

Case Number: [REDACTED] Hearing Date: [REDACTED] 2026 [REDACTED]

ORDER TO SHOW CAUSE
RE: PRELIMINARY INJUNCTION

Date: [REDACTED] 26 (1:30 PM)

Case: [REDACTED]

TENTATIVE RULING:

Plaintiff [REDACTED] request for a preliminary injunction is GRANTED IN PART.

Plaintiff [REDACTED] seeks a preliminary injunction that far exceeds the terms of the temporary restraining order (“TRO”) and order to show cause re: preliminary injunction (“OSC”), issued [REDACTED] 2025. The OSC ordered defendants to show cause why they should not be enjoined from transmitting or disclosing to non-parties or their counsel [REDACTED] trade secrets, as defined by Civil Code § 3426.1, or attorney-client communications and work product. ([REDACTED] OSC & TRO.) Pending a hearing on the OSC, the Court simultaneously issued a TRO enjoining that same conduct to preserve the status quo. ([REDACTED] OSC & TRO.)

In so doing, the Court specifically rejected plaintiff’s vague and overbroad requests for injunctive relief that would enjoin defendants from “discussing any information related to” nearly everything defendant [REDACTED] did while employed by plaintiff, prevent defendants from “engaging in business relations” with any party adverse to plaintiff, and require defendants to turn over to plaintiffs everything that “could reasonably have stored” any of plaintiff’s trade secrets. [REDACTED]

[REDACTED] Thus, when issuing the TRO and OSC and denying large swathes of the blunderbuss relief sought by plaintiff on an ex parte emergency basis, the Court explained to plaintiff that the language of the Court’s orders (1) was crafted and narrowly tailored so that a person of ordinary intelligence and understanding would know how to comply and (2) purposefully excluded any injunctive relief beyond what was necessary to preserve the status quo and prevent actual irreparable harm while this litigation is pending. Indeed, the Court informed plaintiff’s counsel that it would not grant on an ex parte basis at the beginning of the case the ultimate relief sought in the Complaint (*see* Compl. at 20 [Prayer for Relief]) or discovery that must be obtained by adherence to the Civil Discovery Act.

Half a year later, after having had time to conduct discovery, participate in mediation, and engage in settlement talks [REDACTED]

[REDACTED] ostensibly pursuant to this Court's OSC procured on an emergency basis, thereby circumventing the requirement to bring a Motion on Notice for a Preliminary Injunction in the department to which this matter is assigned (*see* LASC Rule 2.8(b)), plaintiff again requests that this Court provide preliminary injunctive relief the Court previously declined to award and omitted from the OSC. Specifically, plaintiff seeks an order requiring defendants to deliver to their counsel or a neutral third-party any confidential information in defendants' possession and to turn over any personal devices containing such information. Plaintiff also again seeks an order enjoining defendants from assisting anyone to invalidate, circumvent, or render unenforceable any of plaintiff's patents on which defendant worked during his employment.

A. Legal Standards

The purpose of a preliminary injunction is to preserve the status quo pending a decision on the merits. (*Major v. Miraverde Homeowners Ass'n.* (1992) 7 Cal. App. 4th 618, 623.) In deciding whether or not to grant a preliminary injunction, the court looks to two factors: "(1) the likelihood that the plaintiff will prevail on the merits, and (2) the relative balance of harms that is likely to result from the granting or denial of interim injunctive relief." (*White v. Davis* (2003) 30 Cal.4th 528, 553-54.) The factors are interrelated, with a greater showing on one permitting a lesser showing on the other. (*Dodge, Warren & Peters Ins. Services, Inc. v. Riley* (2003) 105 Cal.App.4th 1414, 1420.) The party seeking the injunction bears the burden of demonstrating both a likelihood of success on the merits and the occurrence of irreparable harm. (*Savage v. Trammell Crow Co.* (1990) 223 Cal.App.3d 1562, 1571.)

B. Discussion

As noted above, the purpose of a preliminary injunction is to preserve the status quo, which defendants acknowledge and, toward that end, largely stipulate to the preliminary injunctive relief contemplated by the TRO and OSC. (*See* Opp. at 5-6.) The Court finds such preliminary injunctive relief is appropriate, and, consistent with defendants' stipulation, the Court shall enjoin defendant from the following while this litigation is pending:

- (1) Using, transmitting, or disclosing any of [REDACTED] Trade Secrets, as defined by California Civil Code section 3426.1(d), other than with agents and employees of [REDACTED] or with counsel for Defendants, with the exception of transmission or disclosure in or to any court or governmental agency in a non-public manner (*e.g.*, filed under seal or submitted *in*

camera);

(2) Using, transmitting, or disclosing any [REDACTED] attorney-client communications or work product obtained during [REDACTED] employment with [REDACTED], other than with agents and employees of [REDACTED] or with counsel for Defendants, with the exception of transmission or disclosure in or to any court or governmental agency in a non-public manner (*e.g.*, filed under seal or submitted *in camera*);

(3) Using, transmitting, or disclosing any of:

- a. [REDACTED] non-public patents, non-public patent applications, or non-public patent filings, with the exception of transmission or disclosure in or to any court or governmental agency in a non-public manner (*e.g.*, filed under seal or submitted *in camera*);
- b. [REDACTED] non-public clinical studies, non-public analytical tests, or non-public scientific research, with the exception of transmission or disclosure in or to any court or governmental agency in a non-public manner (*e.g.*, filed under seal or submitted *in camera*);
- c. [REDACTED] life's non-public trademarks, non-public trademark applications, or non-public trademark filings, with the exception of transmission or disclosure in or to any court or governmental agency in a non-public manner (*e.g.*, filed under seal or submitted *in camera*).

Nonetheless, ignoring that the TRO has apparently preserved the status quo for nearly half a year and that there is no evidence of any harm or meaningful prospect of irreparable harm that has arisen in the interim, plaintiff wants more. The Court declines to give it.

The Court finds unwarranted the need for a mandatory injunction requiring defendants to turn over various electronic devices, including personal cell phones and electronic tablets. (*See* [REDACTED] Amended [Proposed] Order at 4-5.) Such an order would unnecessarily burden defendants while doing no more to preserve the status quo than the stipulated preliminary injunction would accomplish.

The Court further finds that plaintiff's request to enjoin defendants from "[a]ssisting any person or entity in seeking to invalidate, circumvent, or render unenforceable any [REDACTED] patent on which [REDACTED] worked during his [REDACTED] employment" (*see* [REDACTED] Amended [Proposed] Order at 4) is unwarranted in light of the injunction that prevents the use, transmission, and disclosure of plaintiff's trade secrets to third parties. To the extent plaintiff hopes to further restrain defendants from more through such provision, that would appear to be an impermissible, noncompete provision that is contrary to public policy. (*See D'Sa v. Playhut, Inc.* (2000) 85 Cal.App.4th 927, 933; *Ixchel Pharma, LLC v. Biogen, Inc.* (2020) 9 Cal.5th 1130, 1158.)

C. Conclusion

For the foregoing reasons, plaintiff's request for a preliminary injunction is GRANTED IN PART. Within two court days, plaintiff shall submit a proposed order in accordance with this ruling. The TRO, issued [REDACTED], shall be dissolved upon the Court's signing of such an order.