

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

MORTON A. BENDER, *et al.*,

Plaintiffs,

v.

CAROLYN D. JORDAN, *et al.*,

Defendants.

Civil Action No. 06-92 (RMC)

ORDER

For the reasons stated in the Memorandum Opinion filed concurrently herewith, it is hereby

ORDERED that the Director Defendants' Motion to Dismiss [Dkt. #24] is **DENIED** as to Counts I, II, and III, and **DEFERRED** as to the balance; and it is

FURTHER ORDERED that the Plaintiffs' Application for a Preliminary Injunction [Dkt. #3] is **GRANTED** in part and **DEFERRED** in part; and it is

FURTHER ORDERED that Defendants shall be **ENJOINED** from disseminating proxy materials to shareholders and holding shareholders' meetings until further order of the Court; and it is

FURTHER ORDERED that this Order shall have immediate effect, conditioned on Plaintiffs' posting, no later than **July 28, 2006**, of a secured bond in the amount of \$20,000, which the Court estimates to be the costs of Defendants' proxy materials that may be found to have been wrongfully enjoined or restrained. *See* Fed. R. Civ. P. 65(c); and it is

FURTHER ORDERED that the parties shall appear before the Court at a Status Conference on August 3, 2006, at 10:00 a.m.

This is an appealable Order. *See* 28 U.S.C. § 1292(a)(1).

SO ORDERED.

Date: July 21, 2006

/s/

ROSEMARY M. COLLYER
United States District Judge