

1 Honorable Jacqueline A. Connor (Ret.)
ADR SERVICES, INC.
2 1900 Avenue of the Stars, Suite 250
Los Angeles, California 90067
3 (310) 201-0010 PH
(310) 201-0016 FAX
4 Emergency Arbitrator

ADR SERVICES, INC.

IN RE THE MATTER OF THE ARBITRATION BETWEEN

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9	EC, LLC,)	ADRS Case No. 18-1118-JAC
10	Claimant,)	TEMPORARY RESTRAINING ORDER
11	v.)	
12	PEGGY PETERSON,)	
13	Respondent.)	
14)	

15
16 By written emergency application with exhibits pursuant to Rule 24 of the ADR
17 Services, Inc. Arbitration Rules, Claimant EC, LLC has requested an emergency order
18 precluding Respondent Peggy Peterson ("Ms. Peterson") from (i) disclosing or inducing,
19 promoting or actively inspiring anyone to disclose Confidential Information, as defined in the
20 "Confidential Settlement Agreement and Mutual Release: Assignment of Copyright and Non-
21 Disparagement Agreement," effective October 28, 2016 (the "Settlement Agreement") whether
22 in the media, court filings, or otherwise, (ii) disclosing or inducing, promoting, or actively
23 inspiring anyone to disclose the fact of the commencement and pendency of this Arbitration and
24 any details relating thereto, including, but not limited, to the existence of this Emergency
25 Application and any emergency order issued in response to that application (the "Emergency
26 Application").

27 ADR Services, Inc., has appointed the undersigned, Honorable Jacqueline A. Connor
28 (Ret.), as the Emergency Arbitrator to hear the emergency application. Having reviewed the
29 emergency application, including the parties' Settlement Agreement and other exhibits, the

1 Emergency Arbitrator finds that the Settlement Agreement expressly authorizes issuance of an
2 *ex parte* restraining order without the requirement of advance notice to Ms. Peterson in the
3 event she has breached or threatened to breach the confidentiality obligations expressly agreed
4 upon in the Settlement Agreement.

5 Upon due consideration, the Emergency Arbitrator issued a tentative ruling and order,
6 which was accepted on submission without oral argument by Claimant and Claimant's counsel.

7 NOW, THEREFORE, upon Claimant's application, it is hereby ORDERED that the
8 Emergency Application is GRANTED, in part, as follows:

9 1. Pending further determination by the selected or appointed Arbitrator(s), Ms. Peterson
10 is precluded from disclosing or disclosing or inducing, promoting or actively inspiring anyone
11 to disclose Confidential Information, as defined in the "Confidential Settlement Agreement and
12 Mutual Release: Assignment of Copyright and Non-Disparagement Agreement," effective
13 October 28, 2016 (the "Settlement Agreement") whether in the media, court filings, or
14 otherwise; and

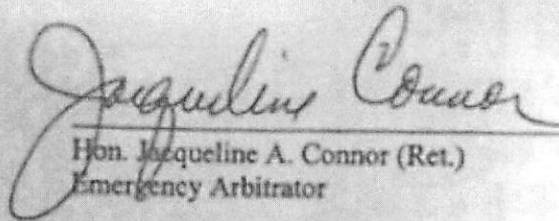
15 2. Pending further determination by the selected or appointed Arbitrator(s), Ms.
16 Peterson is precluded from disclosing or inducing, promoting, or actively inspiring anyone to
17 disclose the fact of the commencement and pendency of this Arbitration and any details relating
18 thereto, together with all proceedings and papers filed herein including, but not limited, to EC's
19 Emergency Application and this Order; and

20 3. The foregoing shall not apply if, in accordance with Paragraph 4.4.1 of the Settlement
21 Agreement, Ms. Peterson is compelled to disclose Confidential Information to another person or
22 entity by valid legal process, including without limitation, a subpoena duces tecum or similar
23 legal compulsion. Ms. Peterson shall not make any such disclosure unless she has first provided
24 DD with notice of such order or legal process not less than ten (10) days in advance of the
25 required date of disclosure pursuant to the Written Notice provisions set forth in the parties'
26 Settlement Agreement, providing DD with an opportunity to intervene and with full and
27 complete cooperation should such disclosure be opposed. If the valid legal process can be
28 stopped by Ms. Peterson's consent or at her behest, Ms. Peterson shall use best efforts to avoid
29 the disclosure of the Confidential Information.

1 The Emergency Arbitrator retains the power to modify or reconsider this interim order
2 until the appointment of an arbitrator or arbitration panel for consideration of the entire matter.
3 (ADRS Rule 24.)
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5 **IT IS SO ORDERED.**

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7 DATED: February 27, 2018


Hon. Jacqueline A. Connor (Ret.)
Emergency Arbitrator

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