NO. 12-CI-001784   JEFFERSON CIRCUIT COURT
                                     DIVISION TWELVE (12)

STEPHEN DEESE   PLAINTIFF

vs.   **ORDER**

GENSCAPE, INC.   DEFENDANT

                    **** **** ****

This matter came before the Court on April 20, 2012
for a hearing on the motion of Plaintiff Stephen Deese
("Mr. Deese") pursuant to CR 65.03 for a restraining order.
Mr. Deese was present in person and was represented by
counsel. Defendant Genscape, Inc. ("Genscape") was present
by counsel.

Motion having been made, argument presented and the
Court being otherwise sufficiently advised;

THE COURT FINDS, for the reasons stated on the record
and incorporated herein by reference, as follows:

 1. It clearly appears from the specific facts
shown by the verified complaint and affidavit of Mr.
Deese that loss of the employment opportunity in
question would constitute immediate and irreparable
injury, loss or damage to Mr. Deese;

 2. The specific facts shown by the verified
Complaint and affidavit of Mr. Deese evidence a good
faith basis for his belief that assertion by Genscape

of its perceived rights under the "Non-Competition;

Non Solicitation" clause set out under paragraph 3.1

of the Employee Proprietary Information and Inventions

Agreement (the Agreement") would constitute a

violation of Mr. Deese's rights should that Agreement

ultimately prove to be unenforceable. However, it

does not *clearly* appear from the specific facts shown

by the verified Complaint and affidavit of Mr. Deese

that his rights *are* being or *will be* violated by

Genscape.

Wherefore, **IT IS HEREBY ORDERED** as follows:

    1. Mr. Deese's motion for a restraining order

is respectfully **DENIED**;

    2. This matter is continued to **5:00 p.m.** on

April 24, 2012 for a hearing on Mr. Deese's motion

pursuant to CR 65.04 for a temporary injunction.

    SO ORDERED this _____ day of April, 2012.

              _____
              A.C. MCKAY CHAUVIN, JUDGE

ec: Hon. Carrol M. Redford, III
    Hon. Demetrius Holloway / Hon. Karen Paulin