

At an IAS Part 72 of the Supreme Court of the State of New York - County of Kings - Held at the Courthouse at 360 Adams Street, New York, New York 11201 on the \_\_\_ day of \_\_\_\_\_, 2014.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

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WESTPAW FILMS INC., directly and derivatively  
on behalf of the D&D Production,

Plaintiff,

Index No.: 505665/2014

-against-

**ORDER TO SHOW CAUSE**

JAMES SPRATTLE, MICHAEL ANDREW  
PASCAL, and FANTASY GAME FILMS LLC,

Defendants,

and

the D&D Production,

Nominal Defendant.

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PRESENT: Hon. \_\_\_\_\_  
Justice

Upon the annexed Affirmation of Peter Dee, affirmed on July 8, 2014 and the exhibits attached thereto, and the Affidavit of Anthony Savini sworn to on July 8, 2014, the annexed Summons and Verified Complaint, and upon all papers and proceedings heretofore had herein;

**LET** the Defendants James Sprattley, Michael Andrew Pascal, and Fantasy Game Films LLC, and/or their attorneys **SHOW CAUSE** before this Court at IAS Part \_\_\_\_\_, to be held in Room \_\_\_\_\_, of the Courthouse of the County of Kings, located at 360 Adams Street, Brooklyn, New York 11201, on the \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_:\_\_\_ .m., or as soon thereafter as

counsel may be heard, why an Order of attachment should not be made and entered in this action herein which:

Pursuant to CPLR §6301 and 6311, preliminarily enjoins and restrains the Defendants James Sprattley, Michael Andrew Pascal, and Fantasy Game Films LLC, and all persons known and unknown acting on their behalf or in concert with them in any manner or by any means, (i) from taking any action in furtherance of the creation, production, manufacture, marketing, distributing, releasing, soliciting funds (including crowd-funding campaigns), advertising, and offering to sell of or for any documentary film about the fantasy role-playing game “Dungeons & Dragons,” including from the unauthorized use, disclosure, and exploitation of the network of contacts, trade secrets, concepts, goodwill, reputation and/or other proprietary information belonging to the D&D Production (as defined in the Verified Complaint) or derived therefrom, (ii) from continuing to withhold D&D Production personal appearance releases and communications with third parties, including to and from the email account dungeonsdoc@gmail.com, and (iii) such other and further relief as the Court deems proper;

ALSO, it appearing that immediate and irreparable injury, loss or damage will result unless the defendant is restrained before the hearing can be had, it is

ORDERED that, pursuant to CPLR §6313, pending the hearing of this motion, Defendants James Sprattley, Michael Andrew Pascal, and Fantasy Game Films LLC, and all persons known and unknown acting on their behalf or in concert with them in any manner or by any means, hereby are enjoined and restrained from (i) from taking any action in furtherance of the creation, production, manufacture, marketing, distributing, releasing, soliciting funds (including crowd-funding campaigns), advertising, and offering to sell of or for any documentary film about the fantasy role-playing game “Dungeons & Dragons,” including from the unauthorized use,

disclosure, and exploitation of the network of contacts, trade secrets, concepts, goodwill, reputation and/or other proprietary information belonging to the D&D Production or derived therefrom, (ii) from continuing to withhold D&D Production personal appearance releases and communications with third parties, including to and from the email account dungeonsdoc@gmail.com, and (iii) such other and further relief as the Court deems proper; until a further Order of this Court, and it is further;

ORDERED that prior to the granting of the requested preliminary injunction, the plaintiff, pursuant to CPLR § 6312, shall give an undertaking in an amount to be fixed by the Court;

ORDERED that service of this Order to Show Cause, together with all papers upon which this Order is based, upon Defendants James Sprattley, Michael Andrew Pascal, and Fantasy Game Films LLC, be made on or before \_\_\_\_\_, 2014, by registered U.S. Mail to each Defendant or their designated attorneys, which shall be deemed good and sufficient service thereof; and it is further;

ORDERED that any and all papers in opposition to this motion shall be served on Plaintiff's counsel so that they may be received at least seven (7) days prior to the return date hereof, and Plaintiff may file any reply papers at least one (1) day prior to the return date of this motion.

E N T E R E D :

Signed this \_\_\_\_\_ day of July, 2014  
at Brooklyn, New York

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J.S.C.