IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WISCONSIN

| HEWLETT PACE COMPANY, L.P., | KARD DEVELOPMENT | |
|--------------------------------|------------------|-------------|
| | , | ORDER |
| | Plaintiff, | 04-C-0789-C |
| V. | | |
| eMACHINES, IN | IC., | |
| | Defendant. | |

A hearing on plaintiff's motion for a preliminary injunction was held in this case on December 2, 2004, before United States District Judge Barbara B. Crabb. Plaintiff appeared by Andrew Valentine, Barry Shelton, John Allcock and Allen Arntsen. Defendant appeared by Bryan Farney, Michael Modl, Wayne Harding and Andrew Clarkowski.

After hearing argument and for the reasons stated on the record, I denied plaintiff's motion for a preliminary injunction.

Entered this 3rd day of December, 2004.

BY THE COURT:

BARBARA B. CRABB District Judge