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FILED
CLERK, U.S. DISTRICT COURT
JUL - 3 2007
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

7 Attorneys for Plaintiff
8 MySpace, Inc.

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 LODGED
CLERK, U.S. DISTRICT COURT
JUN 26 2007
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

- Priority
- Send
- Clsd
- Enter
- JS-5/JS-6
- JS-2/JS-3

12 MYSPACE, INC., a Delaware
corporation,

13 BY  Plaintiff,
14 vs.

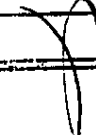
Case No. CV-07-0496 GHK (RCx)

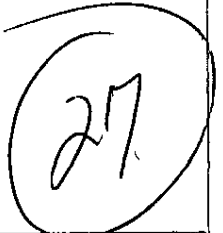
**STIPULATION AND [PROPOSED]
PERMANENT INJUNCTION**

Complaint Filed: 1/19/07

15 OPTINREALBIG.COM, LLC, a
16 Colorado limited liability company,
17 CPA EMPIRE.COM, LLC, a
18 Colorado limited liability company,
19 MEDIA BREAKAWAY, LLC, a
20 Nevada limited liability company,
and SCOTT RICHTER, MARAT
NIGMATZYANOV, and
YEVGENIY LESHCHINSKIY, and
DOES 1-10, inclusive, individuals,

21 Defendants.

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23 DOCKETED ON CM
JUL 10 2007
24 BY  002

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STIPULATION

WHEREAS, on January 19, 2007, MySpace, Inc. ("MySpace") filed an action in the United States District Court for the Central District of California entitled *MySpace, Inc. v. Optinrealbig com, LLC, et al.*, Case No. CV-07-0496 GHK (RCx) (the "Action"), against Yevgeniy Leshchinskiy ("Leshchinskiy") and others, alleging violations of the Computer Fraud and Abuse Act, the CAN-SPAM Act, and other statutory and common law claims; and

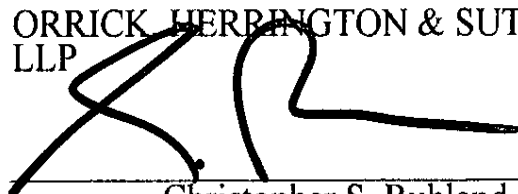
WHEREAS, MySpace and Leshchinskiy have mutually agreed to the terms of a Permanent Injunction.

MySpace, Inc. and Leshchinskiy stipulate to the entry of the following Permanent Injunction.

IT IS SO STIPULATED.

Dated: June ~~25~~, 2007

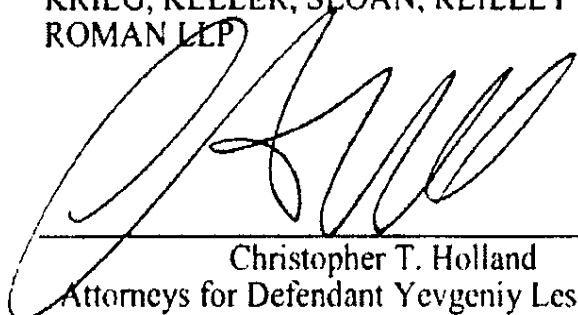
ORRICK, HERRINGTON & SUTCLIFFE
LLP



Christopher S. Ruhland
Attorneys for Plaintiff MySpace, Inc.

Dated: June 25, 2007

KRIEG, KELLER, SLOAN, REILLEY &
ROMAN LLP



Christopher T. Holland
Attorneys for Defendant Yevgeniy Leshchinskiy

PERMANENT INJUNCTION

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2 WHEREAS, on January 19, 2007, MySpace, Inc "(MySpace") filed an action
3 in the United States District Court for the Central District of California entitled
4 *MySpace, Inc. v. Optinrealbig.com, LLC, et al.*, Case No. CV-07-0496 GHK (RCx)
5 (the "Action"), against Yevgeniy Leshchinskiy ("Leshchinskiy") and others,
6 alleging violations of the Computer Fraud and Abuse Act, the CAN-SPAM Act,
7 and other statutory and common law claims; and

8 WHEREAS, MySpace and Leshchinskiy have mutually agreed to the terms
9 of a Permanent Injunction.

10 NOW, THEREFORE, upon the stipulation of the parties, and good cause
11 appearing therefor, IT IS HEREBY ORDERED that Leshchinskiy, together with
12 his officers, directors, agents, servants, employees, and attorneys, and those in
13 active concert or participation with him, is hereby permanently restrained and
14 enjoined from:

15 1. Accessing, or attempting to access, the website located at
16 myspace.com, including any changes in domain name or ownership ("MySpace
17 Website")¹;

18 2. Directly and/or knowingly assisting anyone in accessing, or attempting
19 to access, the MySpace Website for unlawful purposes;

20 3. Directly and/or knowingly participating in the ownership of, or
21 assisting in the operation of, any entity that accesses, or attempts to access, the
22 MySpace Website for unlawful purposes;

23 4. Phishing, or attempting to phish, account names, passwords, or any
24 other information from the MySpace Website or from any MySpace member;

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26 ¹ "MySpace Website" means the website currently located at myspace.com,
27 including any changes in domain name or ownership. If there is a change in the
28 domain name from "myspace.com" to another URL, MySpace cannot enforce the
provisions of this paragraph for any alleged violation(s) occurring after the change
in URL, unless MySpace gives written notice of such change to Leshchinskiy at the
last address provided by Leshchinskiy prior to such alleged violation(s).

1 5. Assisting anyone in phishing, or in attempting to phish, account
2 names, passwords, or any other information from the MySpace Website or from
3 any MySpace member;

4 6. Participating in the ownership of, or assisting in the operation of, any
5 entity that phishes or attempts to phish account names, passwords, or any other
6 information from the MySpace Website or from any MySpace member.

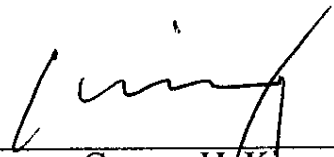
7 The Court shall retain jurisdiction after the termination of this action to
8 enforce this order.

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10 **IT IS SO ORDERED.**

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12 Dated: 7/1/07



George H. King
United States District Judge

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is Orrick, Herrington & Sutcliffe LLP, 777 South Figueroa Street, Suite 3200 California 90017.

On June 26, 2007, I served the foregoing documents described as:

**STIPULATION AND [PROPOSED] PERMANENT INJUNCTION
(Yevgeniy Leshchinskiy)**

on the parties to this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

SEE ATTACHED SERVICE LIST

(BY MAIL) I placed the sealed envelope(s) for collection and mailing by following the ordinary business practices of Orrick, Herrington & Sutcliffe LLP, Los Angeles, California. I am readily familiar with Orrick, Herrington & Sutcliffe LLP's practice for collecting and processing of correspondence for mailing with the United States Postal Service, said practice being that, in the ordinary course of business, correspondence with postage fully prepaid is deposited with the United States Postal Service the same day as it is placed for collection.

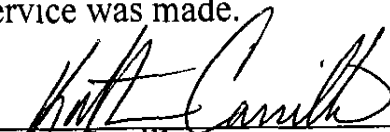
(BY OVERNIGHT DELIVERY) I placed the sealed envelope(s) or package(s) designated by the express service carrier for collection and overnight delivery by following the ordinary business practices of Orrick, Herrington & Sutcliffe LLP, Los Angeles, California. I am readily familiar with Orrick, Herrington & Sutcliffe LLP's practice for collecting and processing of correspondence for overnight delivery, said practice being that, in the ordinary course of business, correspondence for overnight delivery is deposited with delivery fees paid or provided for at the carrier's express service offices for next-day delivery the same day as the correspondence is placed for collection.

(BY FACSIMILE) I caused to be transmitted by facsimile machine (number of sending facsimile machine is (213) 612-2499 by sending the document(s) to the parties on the attached Service List. The facsimile transmission(s) was reported as complete and without error.

Executed on June 26, 2007, at Los Angeles, California.

(FEDERAL) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

(STATE) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.


Kathy Carrillo

SERVICE LIST

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(formerly known as Opt-in-
Real-Big.com LLC) and Scott
Richter**