

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SUSQUEHANNA RADIO LLC

§

Plaintiff

§

§

v.

§

CIVIL ACTION NO. 3:23-CV-01746-S

§

JACOB KEMP and DANIEL MCDOWELL

§

§

Defendants

§

AGREED TEMPORARY ORDER RESTRAINING DEFENDANTS AND CONTINUING
PRELIMINARY INJUNCTION HEARING

On this date Plaintiff Susquehanna Radio LLC and Defendants Jacob Kemp and Daniel McDowell (collectively, the "Parties") announced to the Court that they have agreed to seek to continue the Preliminary Injunction hearing to allow the Parties to mediate this matter in hopes of resolving the dispute. The Parties were previously ordered to mediation, with such mediation to take place on August 22, 2023. The Parties are jointly requesting that the Court reset the Preliminary Injunction hearing to the closest available date and, in the interim, the Parties are jointly requesting the Court to issue an order as set forth herein:

IT IS THEREFORE ORDERED that the Preliminary Injunction hearing is rescheduled to 9:30am on August 29, 2023, unless the Parties resolve the dispute and file papers ~~seeking dismissal of the lawsuit prior to such date.~~ *advising the Court of same.* *JKS*

FURTHER, the Court understands that as part of the agreement of the Parties, the Defendants are to abide by the following restrictions (the "Restrictions") until August 29, 2023 *JKS*
[insert date of hearing setting]:

- i. Defendants will immediately cease the uploading of any podcast, audio program or other audio media available to the public (including available behind a paywall), on any platform or any medium, including, without limitation, the podcast recently uploaded, transmitted and broadcast by Defendants under the name The Dumb Zone;
- ii. With regard to podcasts or programs already posted on the Patreon platform, on YouTube or any other platform, Defendants will not be required to remove such audio from such platforms, but will not promote or otherwise discuss or comment on such podcasts, programs or audio; and
- iii. Defendants will immediately cease commenting on, and publishing any social media posts or other public posts, concerning this litigation, The Ticket, the Plaintiff and any employee or affiliate of the Plaintiff.

On the basis of the Parties' representation of their agreement to these Restrictions for the purpose of pursuing a negotiated resolution of the case, THE COURT ORDERS Defendants to abide by these Restrictions, and ORDERS them not take any actions contrary to these Restrictions. This Order is enforceable by any and all of the Court's powers and remedies.

Signed this 21st day of August, 2023.



HON. KAREN GREN SCHOLER

Agreed:

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/s/David Pernini

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