

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

STEPHEN W. PERKINS, NORMAN STOEHR  
AND CATHERINE STOEHR, DAVID AND  
STACEY SCHAPIRO, MARIELLEN BAKER,  
SANGSOO WESLEY PARK, WILLIAM  
WHETSTONE, RICHARD LUCKETT, MARK  
NATHAN, MATTHEW DELANEY, PETER  
AND LOIS NATHAN, JOHN D. WILGEROTH,  
KERRY B. HOGGARD, MIKE BERKLEY,  
DAVID GOLDBERG, PAUL BRAOUDAKIS,  
AARON LAMBERT, KIMBERLY QUAN,  
STUART AND JOAN SCHAPIRO, JAMES B.  
BLACK, on Behalf of Themselves and All  
Others Similarly Situated,

Plaintiffs,

v.

VERIFIED IDENTITY PASS, INC., AND DOE  
DEFENDANTS 1-25,

Defendants.

Case No.: 09-CV-5951 (RJH)

ORAL ARGUMENT REQUESTED

**PLAINTIFFS' NOTICE OF MOTION FOR PRELIMINARY INJUNCTION  
AND PRESERVATION ORDER**

PLEASE TAKE NOTICE that Plaintiffs, individually and on behalf of the putative class, by and through counsel, move the Court for a preservation order and preliminary injunction.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Plaintiffs submit and are filing herewith an accompanying Memorandum of Law and Declaration of Christine M. Fox. In further support of this motion, Plaintiffs rely upon all other pleadings and matters of record, and such additional evidence or argument as may be presented to the Court.

DATED: August 7, 2009



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**Certificate of Service**

I, Christine M. Fox, declare that I caused a true and correct copy of the foregoing document to be served on all Counsel of record by filing the same using the Court's electronic filing system.

August 7, 2009

/s/ Christine M. Fox  
Christine M. Fox