

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

---

**WOODMAN'S FOOD MARKET, INC.,**

Plaintiff,

v.

Case No. 14-CV-734

**THE CLOROX COMPANY,  
-and-  
THE CLOROX SALES COMPANY,**

Defendants.

---

**NOTICE OF MOTION & MOTION FOR PRELIMINARY INJUNCTION**

---

**PLEASE TAKE NOTICE** that the Plaintiff, Woodman's Food Market, Inc. (hereinafter "Woodman's"), by its attorneys, von Briesen & Roper, s.c., by John A. Kassner and Kraig A. Byron, will come before the Court at a time, date and location to be subsequently set and noticed, and will Move the Court pursuant to 15 U.S.C. § 26, 15 U.S.C. § 13(e), and F.R.C.P. 65(a), for issuance of a Preliminary Injunction ordering the Defendants, The Clorox Company and The Clorox Sales Company (collectively "Clorox"), to maintain the status quo by making available to Woodman's products which Clorox sold to Woodman's until September 30, 2014, and which Clorox continues to sell to other retailer customers competing with Woodman's in the distribution of Clorox's products.

The grounds for the Preliminary Injunction, as more specifically set forth in the accompanying Complaint for Declaratory Judgment and Injunctive Relief, and supporting Affidavit, are that Clorox's refusal to sell the products at issue to Woodman's violates 15 U.S.C.

§ 13(e), and that irreparable loss or damages will result to Woodman's unless the requested Preliminary Injunction is issued by the Court.

This motion is supported by the Affidavit of Woodman's filed herewith, and other pleadings contemporaneously filed in this action.

Dated at Madison, Wisconsin, this 27<sup>th</sup> day of October, 2014.

**VON BRIESEN & ROPER, S.C.**  
Attorneys for Plaintiff,  
Woodman's Food Market, Inc.

By: 

John A. Kassner,  
State Bar Number: 1014336  
[jkassner@vonbriesen.com](mailto:jkassner@vonbriesen.com)

Kraig A. Byron  
State Bar Number: 1020236  
[kbyron@vonbriesen.com](mailto:kbyron@vonbriesen.com)

Mailing Address:

VON BRIESEN & ROPER, S.C.  
Tenney Plaza – Suite 1000  
3 South Pinckney Street  
Madison, WI 53703

(608) 661-3969 Direct (John Kassner)  
(608) 316-3199 Direct Fax (John Kassner)

(608) 661-3981 Direct (Kraig Byron)  
(608) 316-3184 Direct Fax (Kraig Byron)