

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

ERA FRANCHISE SYSTEMS, INC., f/k/a, )  
ELECTRONIC REALTY ASSOCIATES, L.P., )  
Plaintiff, )  
v. ) Case No. 05-CV-2313-KHV  
)  
ERA BIRMINGHAM GUARANTY REALTY, )  
INC., f/k/a AMERICAN TRUST LAND )  
COMPANY, INC. )  
Defendants. )

**PERMANENT INJUNCTION BY CONSENT**

This matter, having been opened to the Court by way of a Verified Complaint filed by Plaintiff ERA Franchise Systems, Inc. ("ERA"), by its undersigned counsel, for the entry of a preliminary injunction against Defendant ERA Birmingham Guaranty Realty, Inc. ("Birmingham"), pursuant to Fed.R.Civ. 65(a), to enjoin Birmingham from any further use of the ERA trade name or service marks ("ERA Marks") or the use of names and marks confusingly similar to the ERA Marks, and it appearing that the parties hereto have consented to the terms and conditions of the within Order and good cause having been shown:

It is on this 24th day of March, 2006

ORDERED that Birmingham and its employees, agents, members, affiliates, subsidiaries, officers, independent contractors, and all those who act in concert or participation with them, are hereby permanently enjoined and restrained from marketing or promoting real estate brokerage services, such that its goods or services are falsely designated as being those of ERA, or designated in a manner that is confusingly similar to those of ERA, and it is further

ORDERED that the injunction described above encompassed, but is not limited to, the use of any and all print or telecommunications advertisements, drafts, labels, signs, flyers, stationery, envelopes,

applications, booklets, brochures, catalogs, circulars, pamphlets, periodicals, bulletins, instructions, minutes, other communications, purchase orders, contracts, agreements, options to purchase, deeds, memoranda of agreements, assignments, licenses, books of account, orders, accounts, working papers, plans, internet sites, domain names and/or email and email addresses that display, or use in any manner, including in its corporate name, the ERA Marks, any derivation of the ERA Marks, or names and marks confusingly similar to the ERA Marks, and it is further

ORDERED that a copy of this Order shall be served by plaintiff upon Defendant by overnight delivery within five (5) days of the date of this Order.

s/ Kathryn H. Vratil

Kathryn H. Vratil

UNITED STATES DISTRICT COURT JUDGE