

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WEBMD HEALTH CORP.,	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	
	:	
ANTHONY T. DALE,	:	
Defendant	:	No. 11-5827

**ORDER**

AND NOW, this 9<sup>th</sup> day of August, 2012, upon consideration of WebMD’s Motion for Preliminary Injunction (Docket No. 2, 3), Mr. Dale’s response thereto (Docket No. 13), the parties’ proposed findings of fact and conclusions of law (Docket Nos. 55,56, 57, 61, 62), WebMD’s Motion *in Limine* (Docket No. 41) and Mr. Dale’s response thereto (Docket No. 42), and following a hearing on May 14, 15, 21, and 22, 2012, it is hereby **ORDERED** that:

1. WebMD’s Motion *in Limine* (Docket No. 41) is deemed **MOOT**.<sup>1</sup>

2. WebMD’s Motion (Docket No. 2) is **GRANTED** as follows:

a. Defendant Anthony Dale is preliminarily enjoined until December 31, 2012 from selling, marketing, supervising the sale of, and product development of online advertising and promotion of health- and wellness-related products provided to users via online means, including through [www.healthgrades.com](http://www.healthgrades.com) and [www.bettermedicine.com](http://www.bettermedicine.com), whether sold, marketed or provided on a stand-alone basis or as a component of other products.

b. Within 14 days of the date of this Order, WebMD shall post a bond, issued by a reputable bonding company, in the amount of \$25,000.

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<sup>1</sup> WebMD moved to exclude the testimony of Health Grades employee Brad Graner. Mr. Dale ultimately did not offer Mr. Graner’s testimony at the hearing.

3. A status conference, during which the Court will delineate a schedule with respect to the continued management of this case shall be held on Friday, August 31, 2012 at 10:00 a.m. in Chambers.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E. K. PRATTER  
UNITED STATES DISTRICT JUDGE