

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

GEORGE & COMPANY LLC,

Plaintiff,

v.

Case No: 2:18-cv-154-FtM-38MRM

SPIN MASTER CORP, SPIN
MASTER US HOLDINGS, INC.,
SPIN MASTER LTD, SPIN MASTER,
INC., CARDINAL INDUSTRIES, INC.
and JOEL BERGER,

Defendants.

OPINION AND ORDER¹

Before the Court is Plaintiff George & Company LLC's Motion for Preliminary Injunction ([Doc. 58](#)) and Defendants Spin Master Corp., Spin Master U.S. Holdings, Inc., Spin Master Ltd., Spin Master, Inc., Cardinal Industries, Inc., and Joel Berger's Response in Opposition ([Doc. 68](#)).

George & Co.'s Motion is predicated on its Third Amended Complaint ([Doc. 55](#)), which the Court dismissed for lack of personal jurisdiction over Defendants. ([Doc. 70](#)).

A court cannot grant injunctive relief against a defendant absent personal jurisdiction.

Advanced Tactical Ordinance Sys., LLC v. Real Action Paintball, Inc., 751 F.3d 796, 800

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(7th Cir. 2014); *Lathrop v. Unidentified, Wrecked & Abandoned Vessel*, 817 F. Supp. 953, 961 (M.D. Fla. 1993). George & Co. has an opportunity to plead sufficient jurisdictional facts in a fourth amended complaint. But until then, the Court cannot enjoin Defendants.

Accordingly, it is now

ORDERED:

Plaintiff George & Company, LLC's Motion for Preliminary Injunction ([Doc. 58](#)) is

DENIED.

DONE and **ORDERED** in Fort Myers, Florida this 29th day of December, 2018.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record