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Attorneys for Defendant, Jammin Java Corporation

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

FIFTY-SIX HOPE ROAD MUSIC
LIMITED, a Bahamian corporation, and
HOPE ROAD MERCHANDISING,
LLC, a Florida limited liability company,

Plaintiffs,

vs.

JAMMIN JAVA CORPORATION, a
Nevada corporation, and DOES 1-10,

Defendants

} Case No.: **2:16-cv-05810**
[Los Angeles County Superior Court
Case No. BC628981]

} **DECLARATION OF GIOVANNI
RUSCITTI IN SUPPORT OF
DEFENDANT’S EX PARTE
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND/OR
PRELIMINARY INJUNCTION AND
ORDER TO SHOW CAUSE WHY
PRELIMINARY INJUNCTION
SHOULD NOT ISSUE**

**DECLARATION OF GIOVANNI RUSCITTI IN SUPPORT OF *EX PARTE*
APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND/OR
PRELIMINARY INJUNCTION AND ORDER TO SHOW CAUSE WHY
PRELIMINARY INJUNCTION SHOULD NOT ISSUE**

DECLARATION OF GIOVANNI M. RUSCITTI

I, Giovanni M. Ruscitti, declare as follows:

1. I am the managing partner at Berg Hill Greenleaf Ruscitti LLP and counsel for Jammin Java, Corp. I have personal knowledge of the facts set forth herein and if called upon to testify, could and would competently

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testify thereto. I submit this declaration in support of Defendant's *Ex Parte* Application for a Temporary Restraining Order and/or Preliminary Injunction and Order to Show Cause Why Preliminary Injunction Should Not Issue.

2. On July 29, 2016, I provided written notice to counsel for Plaintiff Fifty-Six Hope Road Music Ltd., Bonnie E. Eskenazi, that JJC intended move for injunctive relief. On August 4, 2016, I provided Ms. Eskenazi further notice of the date and substance of this application. As of the time of filing this application, Ms. Eskenazi has not responded.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed in Boulder, Colorado on August 4, 2016.



Giovanni M. Ruscitti