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InterDent Service Corporation

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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO

POCATELLO DENTAL GROUP, P.C., an
Idaho professional corporation,

Plaintiff,

v.

INTERDENT SERVICE CORPORATION, a
Washington corporation,

Defendant.

INTERDENT SERVICE CORPORATION, a
Washington corporation,

Third-Party Plaintiff,

v.

POCATELLO DENTAL GROUP, P.C., an
Idaho professional corporation; DWIGHT G.
ROMRIELL, individually; LARRY R.

Case No. CV-03-450-E-LMB

DEFENDANT/THIRD-PARTY
PLAINTIFF'S MOTION AND
APPLICATION FOR A TEMPORARY
RESTRAINING ORDER

DEFENDANT/THIRD-PARTY PLAINTIFF'S MOTION AND APPLICATION FOR A
TEMPORARY RESTRAINING ORDER - 1

MISNER, JR., individually; PORTER SUTTON, individually; ERNEST SUTTON, individually; GREGORY ROMRIELL, individually; ERROL ORMOND, individually; and ARNOLD GOODLIFFE, individually,

Third-Party Defendants.

Pursuant to Fed. R. Civ. P. 65, defendant and third-party plaintiff InterDent Services Corporation ("ISC") moves for entry of a temporary restraining order requiring plaintiff Pocatello Dental Group, P.C. ("PDG") and its officers, directors, employees and agents to restore the parties to the status quo that existed for over seven years, namely, restoring mail service to the PDG office at its office address of 4155 Yellowstone Avenue, Pocatello, Idaho, including but not limited to ordering plaintiff and third-party defendants' taking all steps necessary to undo their scheme to divert the United States mail.

This motion is based upon the grounds that:

1. Pursuant to the 1996 Management Agreement between PDG and ISC's predecessor and the parties' course of dealing, ISC is responsible for handling all business mail addressed to PDG, including but not limited to that relating to accounts payable and receivable.
2. Plaintiff's and third-party defendants' scheme to divert the mail will result in irreparable injury to ISC, its employees, PDG's patients and third-party vendors who rely upon ISC for payment, and to PDG's patients. Plaintiff and third-party defendants will suffer no injury from a return to the status quo that existed before their wrongful actions to divert the mail.

This motion is supported by the accompanying memorandum in support, proposed amended complaint, and the Affidavits of Bruce Call and Scott J. Kaplan.

DATED: February 5, 2004.

STOEL RIVES LLP



G. Rey Reinhardt
Attorneys for Defendant/Third-Party Plaintiff
InterDent Service Corporation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5 day of February, 2004, I caused to be served a true copy of the foregoing **DEFENDANT/THIRD-PARTY PLAINTIFF'S MOTION AND APPLICATION FOR A TEMPORARY RESTRAINING ORDER** upon the following:

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DATED: this 5 day of February, 2004.



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