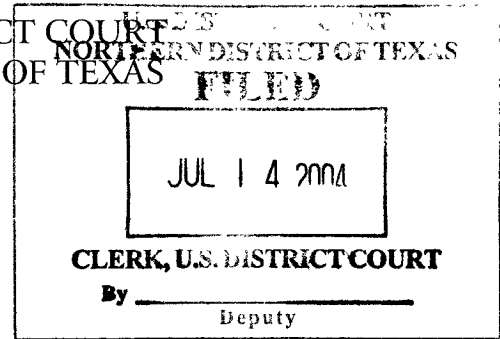


ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



AMERICAN REGISTRY OF  
RADIOLOGIC TECHNOLOGISTS,

Plaintiff,

VS.

LUTHER McCLELLAN,

Defendant.

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CIVIL ACTION NO.

3:00-CV-2577-K

AMENDED JUDGMENT AND PERMANENT INJUNCTION

This amended judgment and permanent injunction is entered pursuant to the Court's Findings of Fact and Conclusions of Law, and after hearing the evidence and argument presented by the parties at the hearing held before the Court on July 13, 2004. It is hereby ORDERED, ADJUDGED and DECREED as follows:

Defendant Luther McClellan is hereby permanently enjoined from using the ARRT trademark. McClellan shall also:

- 1) turn over to ARRT all materials in his possession, custody or control that use the ARRT trademark, within 30 days of the date this judgment is entered, to the extent that he has not already done so;
- 2) file with the Court and serve upon ARRT within 30 days following the entry of this amended permanent injunction a report in writing, under oath, setting forth in detail the manner and form in which McClellan has complied with each of the terms of

this Amended Judgment and Permanent Injunction, pursuant to 15 U.S.C. § 1116;

3) Provide an accounting of all profits he has realized by using the ARRT trademark since August 2000, when his ARRT certification was revoked, to the extent that he has not already done so;

4) Pay to ARRT its reasonable and necessary attorneys' fees incurred in prosecuting this action;


5) If asked by any individual or entity whether he is ARRT certified or registered, respond that he was formerly registered but that his registration was revoked; and

6) If asked by any individual or entity whether he is ARRT registry-eligible, respond that he is not registry-eligible, and further state that he was formerly registered but that his registration was revoked.

ARRT is ordered to send a copy of this injunction to the Texas Department of Health, and to any individuals or entities that place or hire radiologic technicians in the Dallas-Fort Worth metroplex.

All costs are taxed against Plaintiff.

July 14<sup>th</sup>, 2004.

  
ED KINKEADE  
UNITED STATES DISTRICT JUDGE