

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

T-MOBILE USA, INC., a
Delaware Corporation,

Plaintiff,

v

JAMIE D YOAK, VIRGINIA E. YOAK,
AND JAMES D YOAK,

Defendants.

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CASE NO.: 4:10CV02244 AGF

FINAL JUDGMENT AND PERMANENT INJUNCTION

Plaintiff T-Mobile USA, Inc. ("T-Mobile") brought the above-captioned lawsuit against Defendants Jamie D. Yoak ("Jamie Yoak"), Virginia E. Yoak ("Virginia Yoak"), and James D Yoak ("James Yoak") (collectively, "Defendants") alleging that Defendants and other co-conspirators are engaged in illegal business practices involving the unauthorized access and/or alteration of T-Mobile's customer accounts, the use of fraud and harassment to intimidate T-Mobile customers, and the conversion and transfer (or "porting") of those customers' unique and desirable "vanity" phone numbers for purposes of selling or leasing the phone numbers for profit (the "Porting Scheme").

Counsel for T-Mobile and Defendants have jointly filed a stipulation for entry of this Final Judgment and Permanent Injunction. Accordingly,

IT IS HEREBY ORDERED that Defendant Jamie D. Yoak is immediately, permanently and forever enjoined from:

- 1 accessing, altering, changing, or modifying any T-Mobile account;
- 2 purchasing, selling, trafficking, porting, transferring, converting, procuring, interfering with, and/or using, directly or indirectly, any telephone number of a T-Mobile customer;
- 3 purchasing, selling, trafficking, porting, transferring, converting, and/or interfering with, directly or indirectly, any telephone number provided by any other telecommunications company and porting or attempting to port that number to T-Mobile;
- 4 contacting or communicating with T-Mobile, its customers, or any other telecommunications company for the purpose of, or in any way related to, accessing or altering a T-Mobile customer's account, porting a telephone number related to a T-Mobile customer, or otherwise perpetrating a fraud or deception of any kind involving T-Mobile or a T-Mobile customer;
- 5 harassing or otherwise making any unsolicited contact with T-Mobile or its customers;
- 6 accessing T-Mobile's computers through any means, including but not limited to statements to T-Mobile customer service representatives intended to cause them to access T-Mobile computers, online account access via the internet, and calls to T-Mobile's telephone automated systems;
- 7 using or encouraging or permitting others to use false or fraudulent names and/or identities or illegally posing as a T-Mobile customer in any communications to, with or regarding T-Mobile;
- 8 acquiring, purchasing, transmitting, transporting, transferring, leasing, and/or reselling any T-Mobile Product (including any product, good, or service manufactured, distributed, sold, provided to customers or offered for sale by T-Mobile, including but not limited to T-Mobile handsets accessories, component parts, activation materials or other items affiliated with T-Mobile or bearing a T-Mobile trademark);
- 9 making, encouraging, or permitting others to make false representations that Defendants or anyone working with or on their behalf is associated or affiliated in any way with T-Mobile; and
- 10 assisting, encouraging, directing, facilitating, or condoning any other person or entity to engage in any such conduct prohibited by this Injunction.

IT IS FURTHER ORDERED that any telephone call, text message, email, or other communication, correspondence, or contact of any kind initiated by or at the direction of Defendant Jamie Yoak to any T-Mobile employee, customer care center, office, retail store, or other facility is and shall be deemed a presumptive violation of this permanent injunction.

IT IS FURTHER ORDERED that the Court retains jurisdiction over this matter and the parties to this action to enforce any violation of the terms of this Permanent Injunction by a finding of contempt and an order for payment of compensatory damages to T-Mobile in an amount of \$10,000 for each T-Mobile telephone number that Defendant Jamie Yoak is found to have ported, purchased, sold or tampered with in any way in violation of this Injunction, and for an order for payment of compensatory damages to T-Mobile in an amount of \$5,000 for each unauthorized telephone call, text message, email or other communication or correspondence initiated by Defendant Jamie Yoak to T-Mobile in violation of this Injunction. The Court finds that these amounts are compensatory and will serve to compensate T-Mobile for its losses in the event Defendant Jamie Yoak violates the terms of this Injunction.

IT IS FURTHER ORDERED that each party in this case shall bear their own attorneys' fees and costs, however, the prevailing party in any proceeding to enforce compliance with the terms of this Permanent Injunction shall be entitled to an award of its attorneys' fees and costs incurred thereby

IT IS FURTHER ORDERED that this case is Dismissed With Prejudice as to Defendants Virginia Yoak and James Yoak.


IT IS FURTHER ORDERED that Defendants have waived any right of appeal from the entry of this Final Judgment.

IT IS FURTHER ORDERED, pursuant to Fed. R. Civ P 54(b), that there is no just reason for delay and Judgment shall be entered as set forth herein.

The address of Defendant Jamie D Yoak is 3408 Sun Bear Court, Wentzville, Missouri 63385

The address of Defendants Virginia E. Yoak and James D Yoak is 126 Peaceful Meadow Court, Lake Saint Louis, Missouri 63367

The address of Plaintiff T-Mobile USA, Inc. is 12920 S.E. 38th Street, Bellevue, Washington 98006



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 30th day of March, 2012.