

FILED

STATE OF NORTH CAROLINA
WAKE COUNTY

2016 OCT 10 AM 11:59 GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
WAKE COUNTY, C.S.C. FILE NO. 16CV012245

BY *ou*

STATE OF NORTH CAROLINA <i>ex rel.</i>)
ROY COOPER, Attorney General,)
)
Plaintiff,)
)
v.)
)
Crystal Spear a.k.a. Crystal Hope Spear,)
and Ronnie Griffin a.k.a. Ronnie Allen Griffin/)
Allen Griffin/Ronnie Spear/Allen Spears,)
individually and collectively d/b/a:)
NC Appliance Repair;)
Piedmont Appliance Repair;)
NC Service Center;)
Charlotte Appliance Repair;)
Service Today;)
Service X-perts;)
Service Experts;)
Gastonia Appliance Repair;)
Home Pros; and)
A + Home Services,)
)
Defendants.)

**TEMPORARY
RESTRAINING ORDER**

THIS MATTER came to be heard and was heard by the undersigned Judge presiding over the October 10, 2016 civil session of Wake County Superior Court upon plaintiff State of North Carolina's application for a Temporary Restraining Order under N.C. Gen. Stat. § 75-14. Plaintiff has requested that such an order prohibit defendants from engaging in unfair and deceptive trade practices. In addition, plaintiff has requested that such an order prohibit defendants from: advertising, offering, soliciting, or entering into agreements with consumers for any product or service, including accepting payment from consumers for purported appliance

repair services; destroying, transferring, concealing, or altering or removing from their possession or control any financial records, customer contracts, e-mails or other correspondence, business records, and other documents of defendants; and transferring, withdrawing, concealing, disposing, or encumbering any of the defendants' assets without permission of the Court;

Assistant Attorney General Stuart M. Saunders appeared on plaintiff's behalf at the appointed time for the hearing. Defendants did not appear. Defendants were duly notified of the hearing.

It appears to the Court from the Complaint, and the affidavits and other exhibits filed in substantiation thereof, that there is a strong likelihood plaintiff will prevail in this action. It also appears to the Court that plaintiff's request for a Temporary Restraining Order under N.C. Gen. Stat. § 75-14 should be granted so that further harm to the public and further violations of North Carolina law might be prevented.

IT IS THEREFORE ORDERED that defendants, together with defendants' respective employees, agents, representatives, successors, and assigns, and any others acting in concert with defendants who have knowledge thereof, be and hereby are Temporarily Restrained and Prohibited from:

- (a) engaging in unfair or deceptive acts or practices in violation of N.C.G.S. § 75-1.1, including but not limited to the acts and practices listed in Paragraph 32 of plaintiff's Complaint;
- (b) advertising, offering, soliciting, or entering into agreements with consumers for the purpose of performing or purporting to perform appliance repair services;
- (c) accepting payment from consumers for any appliance repair work, including payment for appliance parts;

- (d) destroying, transferring, concealing, or altering or removing from their possession or control any financial records, customer contracts, e-mails, text messages or other correspondence, business records, and other documents of defendants;
- (e) transferring, withdrawing, concealing, disposing, or encumbering any of the defendants' assets without permission of the Court; provided, however, that permission shall not be required if the plaintiff agrees in writing to the expenditures.

IT IS FURTHER ORDERED that, upon proper notice to defendants and within ten (10) days of the entry of the Temporary Restraining Order, a hearing be conducted to determine whether that Order, or any reasonable modifications thereof, should be considered in the form of a preliminary injunction pending the final adjudication of this cause, as allowed by N.C.G.S. § 75-14;

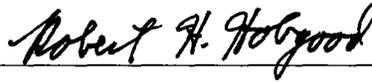
IT IS FURTHER ORDERED that defendants be required to produce the following records no later than three (3) days prior to the preliminary injunction hearing, or within ten (10) days of entry of a Temporary Restraining Order, whichever is sooner:

- (1) the name and address of every bank at which defendants maintain and have maintained for the past twelve (12) months checking, deposit, or other bank accounts, and the account number for each such account;
- (2) a statement of the current monetary balance in each such account held by defendants, together with a copy of the most recent bank statements for each such account, and bank statements for the past twelve (12) months for each such account;

- (3) a current financial statement, showing the current assets and liabilities for defendants; and
- (4) a breakdown of accounts, if such accounts are segregated, showing what the accounts are for, e.g., whether the accounts are for payment of rent, payroll, or the like.

IT IS FURTHER ORDERED that defendants appear before this Court at 9:30 o'clock A. .m., October 14, 2016, in Courtroom 10C of the Wake County Courthouse in Raleigh, North Carolina, if they wish to be heard on plaintiff's application for a Preliminary Injunction.

SO ORDERED, this the 10th day of October, 2016 at 11:55 a.m.



Hon. Robert H. Hobgood
SUPERIOR COURT JUDGE