

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

Oklahoma Department of Securities)
ex rel. Irving L. Faught,)
Administrator,)
)
Plaintiff,)
)
v.)
)
MBS Inspection Corporation, a)
Utah corporation; and Debra Ann)
Miller, an individual,)
)
Defendants.)

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

JUN 25 2010

PATRICIA PRESLEY, COURT CLERK

by _____
DEPUTY

Case No.

CJ - 2010 - 5324

**TEMPORARY RESTRAINING ORDER, ORDER FREEZING ASSETS
AND ORDER FOR ACCOUNTING**

This matter came on for hearing this 25th day of June, 2010, before the undersigned Judge of the District Court in and for Oklahoma County, State of Oklahoma, upon Plaintiff's verified *Petition for Permanent Injunction and Other Equitable Relief* ("Petition") and the application for a temporary restraining order, an order freezing assets, and an order for an accounting and the records to support such accounting to be prepared by or on behalf of the Defendants ("Accounting"), pursuant to the Oklahoma Uniform Securities Act of 2004 (the "Act"), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (Supp. 2009).

It appears to this Court from the facts alleged in Plaintiff's verified Petition that Plaintiff is entitled to the relief requested. It further appears that the public will suffer irreparable damage and injury unless the Defendants, their officers, directors, agents, and other individuals acting on their behalf and under their direction and control, are restrained forthwith and without notice.

It further appears to the Court that if the issuance of this temporary restraining order and an order freezing assets (Order) is delayed until notice is given to the opposing parties, there is a strong likelihood that investor funds may be lost to the detriment of those investors. The irreparable injury to be suffered by Plaintiff is the continued violations of the Act by Defendants if not temporarily restrained.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants, their agents, servants, employees, assigns, and those persons acting on their behalf, under their direction and control and/or in active concert or participation with them who receive actual notice of this Order, by personal service, facsimile or otherwise, be and hereby are, and until further notice of this Court, restrained from offering or selling any security in and/or from this state.

IT IS FURTHER ORDERED that Defendants, their agents, servants, employees, assigns and all those persons, directly and/or indirectly, acting on their behalf, under their direction and control, and/or in active concert or participation with them who receive actual notice of this Order, by personal service, facsimile or otherwise, be and hereby are, and until further notice of this Court, restrained from tampering with, mutilating, altering, fabricating, erasing, concealing, removing, destroying or otherwise disposing of any and all books, records, documents, files, correspondence, computer disks, tapes or other data recordings of any type, pertaining to or referring to Defendants or any transactions by Defendants or to which Defendants were parties.

IT IS FURTHER ORDERED that pending determination of the motion for temporary injunction, the assets of Defendants be, and hereby are, frozen. The assets subject to this Order are those assets located in the state of Oklahoma, to include monies, securities and properties, real and personal, tangible and intangible, of whatever kind and description, and all other assets,

wherever located if paid for, in whole or in part, with Oklahoma investor funds, to include monies, securities and properties, real and personal, tangible and intangible, of whatever kind and description (collectively, "Assets"). The freeze shall include, but not be limited to, any funds located in any bank, depository institution, brokerage firm, real estate agency, or internet securities or other financial institution account in the name of the Defendants, in accounts in the name of any individuals or entities controlled by Defendants or accounts over which Defendant Miller has signatory or other designated authority. All banks, depository institutions, internet service providers, brokerage firms, real estate agencies or other institutions or persons served with a copy of this Order shall cooperate with the Oklahoma Department of Securities ("Department") relating to implementation of this Order, including imposing a freeze on all Assets, including accounts and funds, and producing records relating thereto. Facsimile transmission shall constitute service on the banks, depository institutions, internet service providers, brokerage firms, real estate agencies or other institutions or persons.

IT IS FURTHER ORDERED that all persons and entities, including Defendants, their subsidiaries, affiliates, officers, directors, agents, servants, employees, attorneys, and all persons acting on their behalf, under their direction and control, and/or in active concert or participation with them, including any bank, depository or financial institution, wherever chartered or located, brokerage firm, real estate agency, loan provider, life insurance company, internet service provider or company, federal or state agency, or any other institution or person, who receive actual notice of this Order, by personal service, facsimile transmission or otherwise, shall promptly deliver and surrender to the Department:

1. all records of the Defendants including, but not limited to, books; documents; tapes; discs; accounting data; checks; correspondence; forms;

advertisements; brochures; manuals; electronically stored data and records; bank records; customer and investor lists to include the total amount received from Investors, the name and address of each Investor, the amount invested, and the date each such investment was made; customer and investor files to include any agreements, contracts or notes; telephone records; ledgers; and payroll records; and

2. all keys and codes necessary to gain or to secure access to any Assets or documents of the Defendants.

IT IS FURTHER ORDERED that, except by leave of Court during the pendency of this action, all creditors and other persons seeking money, damages or other relief from Defendants, and all others acting on behalf of any such creditor or other person, including sheriffs, marshals, officers and deputies, and their respective attorneys, servants, agents, and employees, are hereby stayed and restrained from doing any act or thing whatsoever to interfere in any manner during the pendency of this proceeding with the exclusive jurisdiction of this Court over Defendants. This Order shall not stay or restrain any pending or future action whatsoever by any government agency or any representative on behalf of any government.

IT IS FURTHER ORDERED that Defendants create, file with this Court and serve on Plaintiff, within fifteen (15) days of the filing of this Order, an accounting or other similar record, under oath, detailing all of the assets acquired and/or disposed of by each Defendant during the period beginning January 2010 through the present, and detailing all funds received from investors by name, date and amount, and the disposition and/or use of those funds by recipient, date and amount, and all documentation supporting such receipts and disbursements.

IT IS FURTHER ORDERED that the Defendants shall provide notice of this Order to each of their affiliates, successors, directors, officers, and each of their employees, salespersons, representatives and independent contractors.

IT IS FURTHER ORDERED that a hearing is hereby set at 1:30 p.m. on the 9th day of July, 2010, before the Honorable Bryan C. Dixon of the Oklahoma County District Court, Oklahoma County Courthouse, Oklahoma City, Oklahoma, at which time the Defendants may seek the dissolution of this Temporary Restraining Order and the Plaintiff may seek a temporary injunction and other equitable relief.

THIS ORDER IS ENTERED this 25th day of June, 2010, at 10:35, a.m.

BRYAN C. DIXON
DISTRICT COURT JUDGE

I, PATRICIA PRESLEY, Court Clerk for Oklahoma County, Okla., hereby certify that the foregoing is a true, correct and complete copy of the instrument herewith set out as appears of record in the District Court Clerk's Office of Oklahoma County, Okla., this 25 day of June, 2010.
Patricia Presley
PATRICIA PRESLEY, Court Clerk
Deputy