

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

Oklahoma Department of Securities)
ex rel. Irving L. Faught,)
Administrator,)
)
Plaintiff,)
)
v.)
)
Trade Partners, Inc., a Michigan corporation;)
TPI Management LLC, a Michigan limited)
liability company; Trade LLC, a Michigan)
limited liability company; Thomas J. Smith,)
an individual; Christine M. Zmudka, an individual;)
Sojkara, L.L.C. a/k/a Sojkara ISP India L.L.C.,)
a Michigan limited liability company;)
Robert J. Seitters, an individual;)
InterGlobal Waste Management, Inc.,)
a California corporation; Harold A. Katersky,)
an individual; Elkins & Associates Inc.,)
an Oklahoma corporation; Heartland Viaticals, Inc.,)
an Oklahoma corporation; Eddie Elkins,)
an individual; and James S. Stanley, an individual,)
)
Defendants.)

Case No.

CJ -2004-6295

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

AUG - 2 2004

PATRICIA PRESLEY, COURT CLERK
by _____
Deputy

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

This matter came on for hearing this 2nd day of August, 2004, before the undersigned Judge of the District Court in and for Oklahoma County, State of Oklahoma, upon the verified Petition for Permanent Injunction and Other Equitable Relief ("Petition") of the Plaintiff and the application therein for a temporary restraining order against Defendants Trade Partners, Inc.; TPI Management LLC; Trade LLC, Thomas J. Smith; Christine M. Zmudka; Sojkara, L.L.C.; Robert J. Seitters; InterGlobal Waste Management, Inc.; Harold A. Katersky; Elkins & Associates Inc.; Heartland Viaticals, Inc.; Eddie Elkins; and James S. Stanley (collectively "Defendants"), an order freezing assets against Defendants Elkins & Associates Inc.; Heartland Viaticals, Inc.;

Eddie Elkins; and James S. Stanley, and an order for an accounting against all Defendants pursuant to Section 406.1 of the Oklahoma Securities Act ("Act"), Okla. Stat. tit. 71, §§ 1-413, 501, 701-703 (2001 & Supp. 2003).

It appears to this Court from the facts alleged in Plaintiff's verified Petition that Plaintiff is entitled to the relief prayed for; 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, order freezing assets and order for accounting ("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, employees, attorneys, and those persons 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:

1. offering and/or selling any security in and/or from this state; and
2. transacting business in this state as a broker-dealer or agent.

IT IS FURTHER ORDERED that pending determination of the motion for temporary injunction, the assets of Defendants Elkins & Associates Inc., Heartland Viaticals, Inc., Eddie Elkins, and James S. Stanley be, and hereby are, frozen. The freeze shall include, but not be limited to, those funds located in any bank, depository institution, securities brokerage account, or investment account. It shall also apply to accounts in the name of any individuals or entities controlled by Defendants Elkins & Associates Inc., Heartland Viaticals, Inc., Eddie Elkins, and

James S. Stanley or over which such Defendants have signatory or other designated authority, if the funds are derived to any extent from the activities alleged in Plaintiff's petition. All banks or other financial institutions which are served with a copy of this Order shall cooperate with the Department relating to implementation of this Order, including producing records relating to the accounts of Defendants Elkins & Associates Inc., Heartland Viaticals, Inc., Eddie Elkins, and James S. Stanley. Facsimile transmission shall constitute service on the banks, depository institutions, securities brokerage accounts, or investment accounts.

IT IS FURTHER ORDERED that Defendants, their agents, employees, attorneys, 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 temporarily restrained from directly or indirectly, tampering with, mutilating, altering, erasing, concealing, removing, destroying or otherwise disposing of any and all books, records, documents, files, correspondence, computer disks or computer generated data of any type, however created or stored, pertaining or referring to Defendants, any financial transactions by Defendants, any financial transaction to which Defendants were parties, or pertaining or referring to the offers and sales of interests in the death benefits of one or more viatical settlement contracts ("TPI Viatical Investment Contracts"); membership interests in various limited liability companies including, but not limited to TPI Monthly Income I LLC; TPI Monthly Income IV LLC; TPI Monthly Income VI LLC; TPI Monthly Income VIII LLC; TPI Monthly Income IX LLC; TPI Monthly Income XII LLC ("LLC Interests"); TPI promissory notes ("TPI Notes"); notes in the "Sojkara Secured Income Note Program" ("Sojkara Notes"); notes in the InterGlobal Waste Management, Inc. Program, and common stock in InterGlobal Waste Management, Inc. (collectively, "IWM Notes and Stock") issued by Defendants.

IT IS FURTHER ORDERED that 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 deliver over to the Department within ten (10) days from the date of this order, the identity of any and all bank accounts to which any deposit(s) were made of funds obtained in connection with offers and sales of the TPI Viatical Investment Contracts, the LLC Interests, the TPI Notes, the Sojkara Notes and the IWM Notes and Stock.

IT IS FURTHER ORDERED that Defendants allow representatives of the Oklahoma Department of Securities access to any and all documents relating to the offers and/or sales of the TPI Viatical Investment Contracts, the LLC Interests, the TPI Notes, the Sojkara Notes and the IWM Notes and Stock, including, but not limited to, books, records, tapes, discs, accounting data, checks, correspondence, forms, advertisements, brochures, manuals, electronically stored data, bank records, customer and investor lists, customer and investor files, telephone records, ledgers, payroll records, to include such information stored in computer maintained form.

IT IS FURTHER ORDERED that Defendants file with this Court and serve on the Plaintiff an accounting, under oath, detailing all of their assets and detailing all funds received from Investors and the disposition and/or use of those funds received pursuant to the offers and/or sales of the TPI Viatical Investment Contracts, the LLC Interests, the TPI Notes, the Sojkara Notes and the IWM Notes and Stock described in the Plaintiff's Petition. This accounting shall include, but not be limited to, the total amount received from Investors, the name and address of each Investor, the amount invested, the date each such investment was made, and a listing of all expenditures showing the amount and to whom paid and the date of payment. This accounting shall be submitted to this Court and served upon Plaintiff within ten (10) days from the date of entry of this Order.

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 set at 9:00 o'clock A.m. on the 12th day of August, 2004, before the Honorable Judge DANIEL L. OWENS 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 2nd day of August, 2004, at 11:22 a.m.

DANIEL L. OWENS
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 2 day of August, 2004.
By Maggie Adams PATRICIA PRESLEY, Court Clerk Deputy