

FILED

STATE OF NORTH CAROLINA ~~2016~~ APR 28 AM 10:34 THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

COUNTY OF WAKE WAKE COUNTY, C.S.C.

FILE NO. 16CV005605

BY JAC

STATE OF NORTH CAROLINA *ex rel.* )  
ROY COOPER, Attorney General, )

Plaintiff, )

v. )

**STIPULATED  
TEMPORARY  
RESTRAINING ORDER**

ANTIQUITIES VENDING COMPANY, )  
d/b/a ANTIQUE VENDING; and )  
ALAN HUFFMAN, )

Defendants )  
)  
)  
)

**THIS MATTER** came to be heard and was heard by the undersigned Judge presiding over the April 28, 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: entering into contracts with consumers for the purpose of restoring consumers' machines and/or restoring machines sold by the defendants; accepting advance payment from consumers for any machine restoration work; transferring, altering or removing from defendants' possession any business records, customer agreements, emails, text messages or other correspondence; and transferring, concealing, withdrawing, disposing or encumbering any of defendants' assets without permission of the Court.

Defendants have stipulated to the terms of this order, and therefore make joint application with plaintiff that this order be granted.

Assistant Attorney General Stuart M. Saunders appeared on plaintiff's behalf at the appointed time for the hearing. Defendants were duly notified of the hearing. As evidenced by their signatures below, defendants stipulate to the terms of this order.

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 36 of plaintiff's Complaint;
- (b) advertising, offering, soliciting, or entering into agreements with consumers for the purpose of restoring consumers' machines and/or restoring machines sold by defendants;
- (c) accepting advance payment from consumers for any machine restoration work;

- (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 this order shall not prohibit defendants from delivering completed machines to existing customers. Upon such customer's receipt of a completed machine, defendants shall be allowed to consummate the agreement with such customer for final payment. Defendants stipulate and agree that they are expressly prohibited from accepting final payment from a customer unless and until the fully restored, completed machine has been received by the customer and the restoration has been performed to the full satisfaction of the customer.

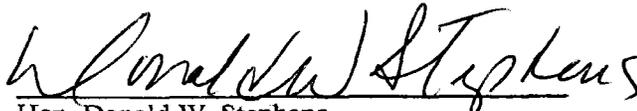
**IT IS FURTHER ORDERED** that, upon proper notice to defendants and within ten (10) days of the entry of the Temporary Restraining Order, a hearing be conducted to determine whether that Order, or any reasonable modifications thereof, should be considered in the form of a preliminary injunction pending 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 10:00 o'clock A.m., May 9, 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.

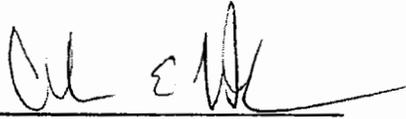
**SO ORDERED**, this the 28th day of April, 2016 at 10:20 A.m.

  
Hon. Donald W. Stephens  
SUPERIOR COURT JUDGE

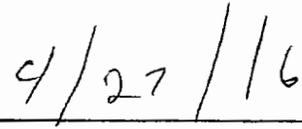
Stipulated and agreed to by Defendants:

  
Alan Huffman

4/27/16  
Date

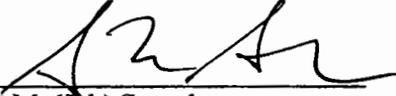


Antiquities Vending Company  
d/b/a Antique Vending

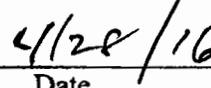


Date

Stipulated and agreed to by Plaintiff:



Stuart M. (Jeb) Saunders  
Assistant Attorney General



Date