

NORTH CAROLINA
WAKE COUNTY

FILED
2010 AUG 13 AM 11:27
WAKE COUNTY, C.S.C.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

File No. 10 CVS 13743

STATE OF NORTH CAROLINA,)
ex rel. ROY COOPER, ATTORNEY)
GENERAL,)
Plaintiff,)
v.)
TODD E. WHITTAKER)
d/b/a PLATINUM PAVING,)
Defendant.)

TEMPORARY RESTRAINING ORDER
(N.C. Gen. Stat. § 75-14)

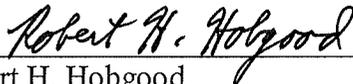
This matter coming on to be heard and being heard by the undersigned Judge presiding over the August 9, 2010 civil session of Wake County Superior Court upon plaintiff State of North Carolina's application for a Temporary Restraining Order under N.C. Gen. Stat. § 75-14 prohibiting the defendant driveway paving contractor from performing or offering to perform residential driveway paving services in North Carolina; and Assistant Attorney General David N. Kirkman appearing on plaintiff's behalf; and no one appearing on behalf of defendant following due notice of this hearing; and it appearing from plaintiff's Complaint and the citizen affidavits, contracts and other exhibits filed in substantiation thereof that there is a strong likelihood plaintiff will prevail in its claims that defendant has violated the North Carolina Unfair and Deceptive Trade Practices Act, N.C. Gen. Stat. § 75-1.1; and it also appearing to the Court that plaintiff's request for a Temporary Restraining Order 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 defendant, together with all of his employees, agents, representatives, subcontractors and assigns, and any others acting in concert with him

who have knowledge hereof, be and hereby are **Temporarily Restrained and Prohibited** from performing or offering to perform any driveway paving services for home owners in North Carolina;

IT IS FURTHER ORDERED that defendant appear before this Court at 10 A. .m., August 23, 2010, in Courtroom 10 C of the Wake County Courthouse in Raleigh, North Carolina, if he wishes to be heard on plaintiff's application for a Preliminary Injunction containing substantially the same terms and prohibitions as are set forth above.

SO ORDERED, this the 13th day of August, 2010 at 11:20 a.m.



Robert H. Hobgood
SUPERIOR COURT JUDGE