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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

THE PEOPLE OF THE STATE OF CALIFORNIA, by and through the CALIFORNIA CORPORATIONS COMMISSIONER,

Plaintiff,

vs.

SMARTWEAR TECHNOLOGIES, a San Diego County fictitious business name; SMARTWEAR TECHNOLOGIES, INC., a Delaware corporation; NORMAN FRANK REED, an individual; ROBERT REED, an individual; SEAN BORZAGE BOYD, an individual; and Does 1 through 10, inclusive,

Defendants,

And

GLOBAL GENERAL TECHNOLOGIES, INC., a Nevada corporation; and LEXIT TECHNOLOGY, INC., a Colorado corporation,

Relief Defendants.

Case No.: 37-2008-00091291-CU-MC-CTL

~~PROPOSED~~ ORDER:

- (1) ISSUING A PRELIMINARY INJUNCTION (A) ENJOINING THE TRANSFER OF CERTAIN ASSETS AND INTELLECTUAL PROPERTY; AND (B) PRESERVING EVIDENCE; AND
- (2) SETTING A BENCH TRIAL IN THE INSTANT CASE

Judge: Hon. Judith F. Hayes
Dept: C-68

Hearing Date: July 14, 2009
Hearing Time: 10:00 a.m.
Date Action Filed: September 9, 2008
Trial Date: November 6, 2009

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1 **TO ALL DEFENDANTS, RELIEF DEFENDANT AND THEIR COUNSEL OF RECORD:**

2 The Order to Show Cause Re: Preliminary Injunction, came on regularly at the above date
3 and time and in the Department indicated. Plaintiff, the People of the State of California by and
4 through the California Corporations Commissioner (“Plaintiff”) was represented by Corporations
5 Counsel Alex Calero.

6 After consideration of Plaintiff’s First Amended Compliant, Ex Parte Application,
7 Memorandum of Points and Authorities, declarations and evidence in support thereof, based on
8 satisfactory proof having been made and FOR GOOD CAUSE APPEARING

9 **IT IS THEREBY ORDERED THAT:**

10 1. Pursuant to California Corporations Code section 25530, a Preliminary Injunction
11 is hereby issued enjoining Defendants, SmartWear Technologies, Inc., and Robert Reed, and
12 Relief Defendant Global General Technologies, Inc. and their officers, directors, successors in
13 interest, agents, employees, representatives from, directly or indirectly, transferring or otherwise
14 disposing of any equipment, inventory, intellectual property, cash and equivalent, accounts
15 receivables, licenses and permits, customer contracts, suppliers and third party contracts, in their
16 possession, custody or control, which were held by SmartWear Technologies, Inc. prior to
17 entering into the April 2008 Asset Purchase Agreement with Global General Technologies, Inc.,
18 unless authorized by this Court.

19 2. Pursuant to California Corporations Code section 25530, a Preliminary Injunction
20 is hereby issued enjoining Relief Defendant Global General Technologies, Inc. and its officers,
21 directors, successors in interest, agents, employees, representatives, and all other persons acting in
22 concert or participating with them from, directly or indirectly, removing, destroying, mutilating,
23 concealing, altering, transferring, or otherwise disposing of, in any manner, any books, records,
24 computer programs, computer files, computer printouts, correspondence, brochures, manuals, or
25 any other “writing” or “document” of any kind as defined under California Evidence Code section
26 250, relating to the transactions and course of conduct as alleged in the First Amended Complaint,
27 unless authorized by this Court.

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IT IS FURTHER ORDERED THAT:

Given that the instant action, initiated by Plaintiff, is essentially equitable and the relief requested is equitable in nature, that a bench trial is appropriate and is hereby ordered in the instant case.

IT IS SO ORDERED.

Dated: July 14, 2009
San Diego, California

_____/s/_____

JUDGE OF THE SUPERIOR COURT