

FILED
SUPERIOR COURT
COUNTY OF SAN BERNARDINO
RANCHO CUCAMONGA DISTRICT
APR 15 2008

By _____ Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO

THE PEOPLE OF THE STATE OF CALIFORNIA, by and through the California Corporations Commissioner,

Plaintiff,

vs.

JUDY SALTER, individually and doing business as dba INSTANT CASH, and DOES 1 through 10, Inclusive.

Defendants.

CASE NO.: CIVRS803214

~~PROPOSED~~ TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE: PRELIMINARY INJUNCTION

JUDY SALTER IS SERVED WITH DOCUMENTS SET FORTH UNDER SECTION 438.1 PERSONAL SERVICE IS EXECUTED ON 4-15-08 IN OPEN COURT UNDER THE DIRECTION OF THE JUDGE.
COURT AID (TITLE) (SIGNATURE)

This Court having read and considered the application, memorandum of points and authorities, complaint, declarations and exhibits, and all other evidence presented, and good cause appearing therefore:

IT IS ORDERED that the above-named defendants, and each of them, appear in Department R9 of the Superior Court of the County of San Bernardino, located at 8303 North Haven Avenue, Rancho Cucamonga, California, 91730, on 5-5-08, 2008 at 8:30 a.m. / p.m. or as soon thereafter as the matter may be heard, to show cause, if any, why they and their agents, servants, employees, and representatives, and all persons acting in concert or participating with them, should not be enjoined and restrained from engaging in, committing, or performing, directly or

[PROPOSED] TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE: PRELIMINARY INJUNCTION

State of California - Department of Corporations

1 indirectly, any and all of the acts as set forth in this complaint, including:

2 (1) Violating California Financial Code § 23035 (c)-(e) by failing to enter into written
3 agreements with deferred deposit customers; failing to provide written notices to customers as
4 required under this section; failing to conspicuously post notices in view of the public with letters at
5 least one-half inch in height; and using agreements that that are not in compliance with the
6 provisions of this section.

7 (2) Violating California Financial Code § 23027 (b) by posting advertisements that do
8 not contain the statutorily required disclosures under California Financial Code § 23027 (b).

9 (3) Violating California Code of Regulations, title 10, § 2025 (b) by failing to provide
10 quarterly balance sheets demonstrating that Instant Cash maintains a minimum net worth under
11 California Financial Code § 23007.

12 (4) Violating California Code of Regulations, title 10, § 2025 (c)(1) by failing to
13 maintain evidence of checks for all loan files.

14 (5) Violating California Financial Code § 23037 (f) by engaging in any unfair, unlawful,
15 or deceptive conduct, or make any statement that is likely to mislead in connection with the business
16 of deferred deposit transactions, including using a written agreement that requires the customer to
17 agree to terms and conditions in the agreement that are not disclosed to the customer.

18 (6) Violating any order issued by the Commissioner against defendants or any of them,
19 including, but not limited to, the Desist and Refrain Order described in this complaint.

20 (7) Destroying, mutilating, concealing, altering, transferring or otherwise disposing of, in
21 any manner, any books, records, documents, correspondence, brochures, manuals, or other
22 documents of any kind relating to the deferred deposit business in the possession, custody or control
23 of any of the defendants until further order of this Court.

24 IT IS FURTHER ORDERED that, pending the hearing and determination of the Order to
25 Show Cause, the above-named defendants, and each of them, and their officers, agents, employees,
26 representatives, and all persons acting in concert or participating with them, are restrained and
27 enjoined from engaging in or performing, directly or indirectly, any and all of the acts as set forth in
28 this complaint, including:

1 (1) Violating California Financial Code § 23035 (c)-(e) by failing to enter into written
2 agreements with deferred deposit customers; failing to provide written notices to customers as
3 required under this section; failing to conspicuously post notices in view of the public with letters at
4 least one-half inch in height; and using agreements that that are not in compliance with the
5 provisions of this section.

6 (2) Violating California Financial Code § 23027 (b) by posting advertisements that do
7 not contain the statutorily required disclosures under California Financial Code § 23027 (b).

8 (3) Violating California Code of Regulations, title 10, § 2025 (b) by failing to provide
9 quarterly balance sheets demonstrating that Instant Cash maintains a minimum net worth under
10 California Financial Code § 23007.

11 (4) Violating California Code of Regulations, title 10, § 2025 (c)(1) by failing to
12 maintain evidence of checks for all loan files.

13 (5) Violating California Financial Code § 23037 (f) by engaging in any unfair, unlawful,
14 or deceptive conduct, or make any statement that is likely to mislead in connection with the business
15 of deferred deposit transactions, including using a written agreement that requires the customer to
16 agree to terms and conditions in the agreement that are not disclosed to the customer.

17 (6) Violating any order issued by the Commissioner against defendants or any of them,
18 including, but not limited to, the Desist and Refrain Order described in this complaint.

19 (7) Destroying, mutilating, concealing, altering, transferring or otherwise disposing of, in
20 any manner, any books, records, documents, correspondence, brochures, manuals, or other
21 documents of any kind relating to the deferred deposit business in the possession, custody or control
22 of any of the defendants until further order of this Court.

23 IT IS FURTHER ORDERED that copies of the complaint, declarations or affidavits,
24 memorandum of points and authorities, and this Order to Show Cause and temporary restraining
25 order be served on defendants no later than 4-15-08 by Court. ~~Proof of~~
26 ~~service shall be filed and delivered in the manner provided by California Code of Civil Procedure~~
27 ~~section 527.~~

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The following briefing schedule shall apply: Any opposition papers to the OSC shall be filed in Department 29 and served on Plaintiff no later than 4-22-08. Any reply papers to such opposition shall be filed and served on Defendants no later than 4-29-08. The temporary restraining order shall expire on 5-5-08.

Dated: 4-15-08

Barry Plotkin

JUDGE OF THE SUPERIOR COURT