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9 Attorneys for the People of the State of California

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

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

15 Plaintiff,

16 vs.

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

21 Defendants,

22 And

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

25 Relief Defendants.  
26  
27

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

EX PARTE APPLICATION FOR  
ORDER TO SHOW CAUSE RE:  
PRELIMINARY INJUNCTION

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

Ex Parte Hearing Date: November 18, 2008  
Ex Parte Hearing Time: 8:45 a.m.  
Date Action Filed: September 9, 2008

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1 Plaintiff, the People of the State of California, by and through the California Corporations  
2 Commissioner (“Commissioner”), hereby apply for:

3 An Order to Show Cause ordering Norman Frank Reed, Robert Reed, Sean Borzage Boyd,  
4 SmartWear Technologies, a San Diego County fictitious business name, SmartWear Technologies,  
5 Inc., a Delaware corporation (collectively “DEFENDANTS”), and Global Technologies, Inc., a  
6 Nevada corporation, and Lexit Technology, Inc., a Colorado corporation (collectively “RELIEF  
7 DEFENDANTS”) to show cause why a preliminary injunction should not be granted, enjoining:

8 1. DEFENDANTS, their agents, employees, representatives, and all other persons acting in  
9 concert or participating with them, from directly or indirectly:

10 a. Violating California Corporations Code section 25110 by offering to sell, selling,  
11 arranging for the sale of, issuing, engaging in the business of selling, or negotiating for the sale of any  
12 security of any kind unless such security or transaction is qualified; and

13 b. Violating California Corporations Code section 25401 by offering to sell or selling  
14 any security of any kind by means of any written or oral communication which includes any untrue  
15 statement of material fact or omits to state any material fact necessary in order to make the statements  
16 made, in the light of the circumstances under which they are made, not misleading;

17 2. DEFENDANTS and RELIEF DEFENDANTS, their agents, employees, representatives, and  
18 all other persons acting in concert or participating with them, from directly or indirectly:

19 a. Removing, destroying, mutilating, concealing, altering, transferring, or otherwise  
20 disposing of, in any manner, any books, records, computer programs, computer files, computer  
21 printouts, correspondence, brochures, manuals, or any other “writing” or “document” of any kind as  
22 defined under California Evidence Code section 250, relating to the transactions and course of  
23 conduct as alleged in the First Amended Complaint, unless authorized by this Court; and

24 b. Withdrawing from any bank account or disposing of any real or personal property,  
25 derived or purchased from investor funds, in their possession, custody, or control, without leave of  
26 the Court.

27 This Ex Parte application is made pursuant to California Rules of Court, rule 3.1150, which  
28 provides that an order to show cause must be used when the party against whom the preliminary

1 injunction is sought has not appeared in the action.

2 This Ex Parte Application is also made pursuant to California Corporations Code, section  
3 25530, which authorizes the Commissioner to bring an action in the name of the People of the State  
4 of California to enjoin acts or practices or to enforce compliance with the laws.

5 This application is made on the grounds that the Commissioner is authorized by law to the  
6 relief requested and this relief is necessary to provide the greatest protection to the public, as more  
7 particularly described in the First Amended Complaint, Memorandum of Points and Authorities in  
8 Support of Plaintiff’s Ex Parte Application for an Order to Show Cause Re: Preliminary Injunction  
9 (“Memorandum of Points and Authorities”) and Declarations filed in support thereof and such other  
10 oral and documentary evidence as may be presented at the time of the hearing on the application.

11 As set forth in the Memorandum of Points and Authorities, Section III, A, where an injunction  
12 is authorized by statute to protect the public interest, the usual equitable considerations, such as  
13 irreparable harm are irrelevant. However, for the reasons set forth in the Memorandum of Points and  
14 Authorities, Section III, E, irreparable harm will result if a preliminary injunction is not issued.

15 Plaintiff is unaware of any attorney(s) representing DEFENDANTS. DEFENDANTS’ last  
16 known addresses are: 2650 Jamacha Road, El Cajon, CA 92019; 10120 S. Eastern Avenue, Suite  
17 200, Henderson, NV 89052; 15934 Wood Valley Trail, Units B and C, Jamul, CA 91935; and 1270  
18 Gulf Boulevard, Suite 2007, Clearwater, FL 33767.

19 Plaintiff is unaware of any attorney(s) representing RELIEF DEFENDANTS. RELIEF  
20 DEFENDANTS’ last know addresses are: 1802 N. Carson Street, Suite 212, Carson City, NV  
21 89701; 398 W. Colorado Ave., Telluride, CO 81435; and 1298 Main Street, Unit A, Suite 4200,  
22 Windsor, CO 8550

23 Dated: November 13, 2008

24 PRESTON DuFAUCHARD  
California Corporations Commissioner

25  
26 By: \_\_\_\_\_  
ALEX CALERO  
27 Corporations Counsel  
28 Attorney for the People of California