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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 TEMPORARY RESTRAINING ORDER (A) ENJOINING THE TRANSFER OF CERTAIN ASSETS AND INTELLECTUAL PROPERTY; AND (B) PRESERVING EVIDENCE; AND ISSUING AN ORDER TO SHOW CAUSE RE: PRELIMINARY INJUNCTION; AND

(2) SETTING A BENCH TRIAL IN THE INSTANT CASE

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

Ex Parte Hearing Date: May 19, 2009
Ex Parte Hearing Time: 8:45 a.m.
Date Action Filed: September 9, 2008
Trial Date: November 6, 2009

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

The Ex Parte Application for Temporary Restraining Order; and Order to Show Cause Re: Preliminary Injunction, came on regularly at the above date and time and in the Department

1 Robert Reed, and Relief Defendant Global General Technologies, Inc. and their officers, directors,
2 successors in interest, agents, employees, representatives, ~~and all other persons acting in concert or~~
3 ~~participating with them~~ (jh) from, directly or indirectly, transferring or otherwise disposing of any
4 equipment, inventory, intellectual property, cash and equivalents, accounts receivables, licenses
5 and permits, customer contracts, suppliers and third party contracts, in their possession, custody or
6 control, which were held by SmartWear Technologies, Inc. prior to entering into the April 2008
7 Asset Purchase Agreement with Global General Technologies, Inc., unless authorized by this
8 Court.

9 2. Pursuant to California Corporations Code section 25530, a Temporary Retraining
10 Order is hereby issued restraining and enjoining Relief Defendant Global General Technologies,
11 Inc. and its officers, directors, successors in interest, agents, employees, representatives, and all
12 other persons acting in concert or participating with them from, directly or indirectly, removing,
13 destroying, mutilating, concealing, altering, transferring, or otherwise disposing of, in any manner,
14 any books, records, computer programs, computer files, computer printouts, correspondence,
15 brochures, manuals, or any other “writing” or “document” of any kind as defined under California
16 Evidence Code section 250, relating to the transactions and course of conduct as alleged in the
17 First Amended Complaint, unless authorized by this Court.

18 IT IS FURTHER ORDERED THAT:

19 ~~Given that the remedies requested by Plaintiff in the instant case are predominately~~
20 ~~equitable in nature, a bench trial is appropriate and is hereby ordered in the instant case.~~ (jh)

21 IT IS SO ORDERED.

22 Dated: May 19, 2009
23 San Diego, California

24 _____

25 JUDGE OF THE SUPERIOR COURT