

STATE OF NORTH CAROLINA **FILED** IN THE GENERAL COURT OF JUSTICE
COUNTY OF WAKE 2019 JUL 15 P 4: 05 SUPERIOR COURT DIVISION
19 CVS 009339

STATE OF NORTH CAROLINA *ex rel.* **CH**
JOSHUA H. STEIN, Attorney General,)

Plaintiff,)

v.)

TURTLE CREEK ASSETS, LTD.,)
TURTLE CREEK RENTALS LLC,)
ROYAL PARK HOLDINGS, INC., and)
GORDON SCOTT ENGLE.)

Defendants.)

TEMPORARY RESTRAINING ORDER

THIS CAUSE came on before the undersigned Superior Court Judge on the Attorney General's motion for a temporary restraining order and preliminary injunction. It appears to the Court from the complaint and affidavits filed herein that there is good and sufficient cause to believe that Defendants are engaged in Prohibited Practices by Collection Agencies Engaged in the Collection of Debts from Consumers, N.C. Gen. Stat. §58-70-95 through §58-70-130, violations of the North Carolina Unfair and Deceptive Trade Practices Act, N.C. Gen. Stat. § 75-1.1, and violations North Carolina's Business Corporation Act, Professional Corporation Act, and Uniform Partnership Act, N.C. Gen. Stat. §§ 55-15-01(a), 57D-7-01(a), and 59-91.

Specifically, Defendants are operating as debt collection agencies in this State without the required permits from the North Carolina Department of Insurance and the required certifications and registration with the North Carolina Secretary of State,

attempting to collect debt through means prohibited by N.C. Gen. Stat. §58-70-95 through §58-70-115, and engaging in unfair and deceptive practices.

It further appears to the Court that immediate and continuing loss and damage to the consuming public will occur unless Defendants are temporarily enjoined from violations of the law, and the Court therefore finds the Plaintiff, State of North Carolina, is entitled to a temporary restraining order.

IT IS THEREFORE ORDERED that Defendants, their officers, agents, members, employees, successors, assigns and persons acting in concert with them are temporarily restrained from:

- a. engaging in debt collection activities without obtaining the appropriate certifications and registration from the North Carolina Secretary of State and the required permit(s) from the North Carolina Department of Insurance;
- b. engaging in any unfair or deceptive acts or practices in violation of N.C. Gen. Stat. §75-1.1, including but not limited to the acts and practices outlined in N.C. Gen. Stat. §§ 58-70-95 through 58-70-115;
- c. creating or operating any entities to participate in the conduct prohibited in sections (a) and (b) above;
- d. destroying, transferring, concealing, altering or removing from the possession and control of any Defendant, its officers, agents, members, employees, successors, assigns and persons acting in concert with it any financial and business records, including, but not limited to: bank records, consumer/debtor records and

correspondence, including emails, letters, and telephone logs, court communications, including any communications with court officials (magistrates and judges) or any members of any district attorney's office, or any other law enforcement agency; and

- e. seeking criminal summonses in North Carolina.

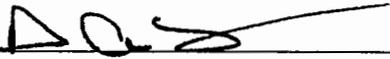
At Defendants' request, North Carolina consumer payments already in process that are received within the next 48 hours, shall not constitute a violation of this Temporary Restraining Order provided that all payments received during that 48-hour period are placed into a segregated account and said funds are left there until further order of this Court. Within five (5) days, Defendants are to provide the State with a current copy of a statement for each bank account, ^{in which the funds are deposited} ~~including the segregated account(s), used to hold funds from North Carolina consumers;~~ said bank statements shall state the name of the banking institution, the account holder(s) name(s), the account number(s) and the balance as of 4:00 p.m. on July 15, 2019.

Within ten (10) days of the entry of the Temporary Restraining Order, Defendants are to provide the Plaintiff with a complete list of all North Carolina consumers it has collected or attempted to collect from, including those not related to Aaron's, Inc. Said list is to be in at least 12 point font and contain, at a minimum, each consumer's name, full mailing address, phone number, email address, date of first and most recent contact, all amounts collected from each consumer, any legal action, whether civil or criminal, including cases where a Defendant is a complainant in a criminal case, and including cases that are pending or have been closed, completed, withdrawn or in any other way terminated. The

listed information for all court cases shall include: consumer's name, county where filed, date filed, docket number, and case status.

IT IS FURTHER ORDERED that Defendants appear before the Superior Court Judge presiding at the Wake County Courthouse, Courtroom number 10-C on the 22nd day of July, 2019 at 10:00 o'clock a.m. if they wish to be heard of the State's motion for a preliminary injunction.

SO ORDERED, this the 15 day of July, 2019 at 4:00 o'clock, p.m.



A. Graham Shirley, II, Judge
Superior Court Judge