

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 20 CVS 6602

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

v.)

JH HOME IMPROVEMENTS, INC.;)
JORGE ALBERTO GARCIA and)
HELEN SMITH FLORES, individually)
and in their capacity as owners, managers,)
and/or operators of JH HOME)
IMPROVEMENTS, INC.,)
)
Defendants)

2020 JUN 24 A 10 53

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**AMENDED
TEMPORARY RESTRAINING
ORDER**

TEMPORARY RESTRAINING ORDER

THIS MATTER came to be heard and was heard by the undersigned Judge presiding over the June 23, 2020 civil session of Wake County Superior Court upon plaintiff State of North Carolina's application for a Temporary Restraining Order under N.C. Gen. Stat. § 75-14. Plaintiff has requested that such order prohibit defendants from engaging in unfair and deceptive trade practices. In addition, plaintiff has requested that such order prohibit defendants from: advertising, offering, soliciting, or entering into contracts with consumers for contractor services; accepting payment from consumers for contractor services; contacting any of defendants' prior or existing customers for any reason, including soliciting work and/or requesting monies from customers; destroying, transferring, concealing, or altering or removing from defendants' possession or control any financial records, customer contracts, emails or other correspondence, business records, and other documents of defendants; and transferring, withdrawing, concealing, disposing, or encumbering any of defendants' assets without permission of the Court;

Assistant Attorneys General Munashe Magarira and Stuart M. Saunders appeared on plaintiff's behalf at the appointed time for the hearing. Defendants were duly notified of the hearing.

It appears to the Court from the Complaint, and the affidavits and other exhibits filed in substantiation thereof, that there is a strong likelihood plaintiff will prevail in this action. It also appears to the Court that plaintiff's request for a Temporary Restraining Order under N.C. Gen. Stat. § 75-14 should be granted so that further harm to the public and further violations of North Carolina law might be prevented.

IT IS THEREFORE ORDERED that defendants, together with their employees, agents, representatives, successors, and assigns, and any others acting in concert with defendants who have knowledge thereof, be and hereby are Temporarily Restrained and Prohibited from:

- (a) Engaging in unfair or deceptive acts or practices in violation of N.C.G.S. § 75-1.1, including but not limited to the acts and practices listed in Paragraph 63 of plaintiff's Complaint;
- (b) Advertising, offering, soliciting, or entering into contracts or agreements with consumers for contractor work, including requesting payment from consumers for any contractor services or materials;
- (c) Accepting payment from consumers for any contractor services or materials;
- (d) Contacting any of defendants' prior or existing customers for any reason, including soliciting work and/or requesting monies from the customers;
- (e) Destroying, transferring, concealing, or altering or removing from defendants' possession or control any financial records, customer contracts, e-mails, text

messages or other correspondence, business records, and other documents of defendants; and

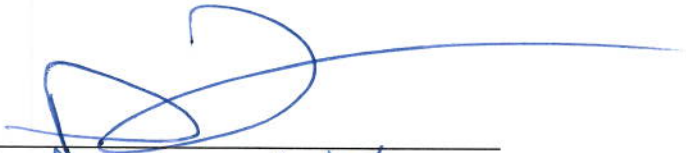
- (f) Transferring, withdrawing, concealing, disposing, or encumbering any of the defendants' assets without permission of the Court; provided, however, that permission shall not be required if plaintiff agrees in writing to the expenditures.

IT IS FURTHER ORDERED that defendants be required to produce the following records no later than three (3) days prior to the preliminary injunction hearing:

- (1) The name and address of every bank at which defendants maintain and have maintained for the past twelve (12) months checking, deposit, or other bank accounts, and the account number for each such account;
- (2) A statement of the current monetary balance in each such account held by defendants, together with a copy of the most recent bank statements for each such account, and bank statements for the past twelve (12) months for each such account;
- (3) A current financial statement, showing the current assets and liabilities for defendants; and
- (4) A breakdown of accounts, if such accounts are segregated, showing what the accounts are for, e.g., whether the accounts are for payment of rent, payroll, or the like.

IT IS FURTHER ORDERED that defendants appear before this Court in person at 10:45 o'clock a.m. on July 6, 2020, in Raleigh, North Carolina, if they wish to be heard on the State's motion for a preliminary injunction.

SO ORDERED, this the 24 day of June, 2020, at 10:52 o'clock a.m.



Hon. A. Graham
Superior Court Judge