

STATE OF NORTH CAROLINA
WAKE COUNTY

FILED

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
NO. 21 CVS 8391

2021 SEP 14 AM 11:12

WAKE CO., C.S.C.

STATE OF NORTH CAROLINA *ex rel*)
JOSHUA H. STEIN, Attorney General,)
)
Plaintiff,)
)
v.)
)
)
JASON RANDAL DUDLEY, Individually)
and d/b/a "Jason's Mobile Outboard Repair")
and "Jason's Mobile Outboard Repair, LLC,")
)
Defendant.)

PRELIMINARY INJUNCTION

THIS CAUSE came on to be heard and was heard by the undersigned Superior Court Judge presiding at the September 13, 2021 civil session of Wake County Superior Court upon the application of plaintiff State of North Carolina for a Preliminary Injunction under N.C. Gen Stat. §§ 75-14 and Rule 65 of the North Carolina Rules of Civil Procedure, the Court having previously entered a Temporary Restraining Order in this matter on July 26, 2021, extended it on July 30, 2021, and renewed it on August 13, 2021.

Based on the Court's consideration of the Complaint, the exhibits and supplemental exhibits and affidavits attached thereto, and evidence presented at the hearing, the Court finds that (1) the State is likely to prevail on its claims in this action against the defendant; and (2) this Preliminary Injunction should be entered against the defendant pending final resolution of this

cause so that further violation of law and further harm to the public might be prevented and to maintain the status quo of the parties during the pendency of this lawsuit.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that defendant,

together with his agents, employees, representatives, subcontractors, successors and assigns, and any persons or entities acting in concert with him, be and hereby are **Preliminarily Enjoined**

and Prohibited under N.C.G.S. § 75-14, during the pendency of this lawsuit from:

- i. performing boat repair services;
- ii. contracting to perform boat repair services;
- iii. advertising and soliciting customers to contract for boat repair services;
- iv. collecting any payment for performance of boat repair services or for boat parts;
- v. destroying, removing, transferring, erasing, or otherwise disposing of any business or financial records relating to defendant's boat repair business, including but not limited to any business or financial records relating to monies obtained from any North Carolina consumer on or after January 1, 2020; and
- vi. transferring, withdrawing, concealing, disposing, or encumbering any of defendant's assets without permission of the Court or written permission of the Attorney General.

IT IS FURTHER ORDERED that, under N.C.G.S. § 75-14, defendant be required to produce the following records to plaintiff's counsel within fifteen days:

- i. (a) A verified list of the names and addresses of all persons with whom defendant, or those acting under his direction or control or with his approval, has contracted to provide boat repair services in North Carolina since January 1, 2020, together with (b) all related invoices, bills, estimates, and/or bids sent

to those consumers, (c) and an individualized accounting of all payments received from each such consumer.

- ii. The name and address of every bank or financial institution at which defendant maintains deposit, checking, or other accounts, along with the account number for each such account, a statement of the current balance in each such account, and a copy of the bank statement(s) for each such account that covers the period January 1, 2020 through the present date.
- iii. A current balance sheet and the most recent profit and loss statement for defendant's boat repair business.

SO ORDERED This the 14th day of September, 2021, at 8:14 o'clock a.m.



The Honorable Judge Bryan Collins
Superior Court Judge

CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of the foregoing **Preliminary Injunction** on defendant by depositing a copy of the same in the U.S. Mail, first-class postage prepaid, and addressed as follows:

Jason Dudley
9708 Deer Run Road
Waxhaw, NC 28173-7692

This the ____ day of September, 2021.

Torrey D. Dixon
Assistant Attorney General