

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

WAKE COUNTY

FILE NO. 22 CVS 5818

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

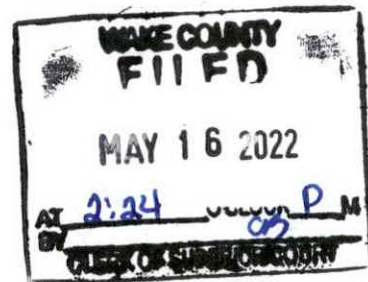
Plaintiff,)

v.)

HITS TAX & BOOKKEEPING SERVICES, LLC;)
MARVIN T. HOOKER;)
ERICA K. HOOKER; and,)
TRINITY KIMBRO,)

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 exhibits and affidavits attached thereto that there is good and sufficient cause to believe that Defendants are engaged in unfair and deceptive practices in violation of N.C. Gen. Stat. § 75-1.1. Specifically, Defendants have demonstrated a continuing pattern of unfair and deceptive acts including providing false and deceptive information about the eligibility criteria for government-backed COVID-19 pandemic financial relief programs in its advertising and direct representations to tenants and homeowners, knowingly charging up-front application fees to consumers who were current on their mortgage and mortgage-related obligations and thus clearly ineligible for government-backed COVID-19 pandemic mortgage financial assistance, failing to disclose that the government-backed COVID-19 pandemic

financial relief program administrators provide application assistance at no cost, creating and submitting illegitimate and false email address information on COVID-19 pandemic financial assistance applications to prevent applicants from communicating directly with program administrators, failing to timely submit all documentation provided by applicants to the program administrators in support of their applications, and by providing false and misleading information about the status of consumer financial relief applications submitted through Defendant, Hits Tax and Bookkeeping Services, LLC.

It further appears to the Court from the State's Complaint, exhibits, and affidavits filed in substantiation thereof that there is a reasonable likelihood that the State will prevail in this action. It also appears to the Court that the State's request for a Temporary Restraining Order under Rule 65 of the North Carolina Rules of Civil Procedure and 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, their officers, agents, members, employees, successors, assigns and persons acting in concert with them are temporarily restrained from:

- (a) Charging fees to submit applications for COVID-19 pandemic relief programs, including but not limited to the HAF Program;
- (b) Soliciting business through false and deceptive advertising regarding the eligibility and requirements for any and all COVID-19 pandemic relief program(s);
- (c) Transferring, converting, encumbering, disbursing, assigning, spending, withdrawing or otherwise disposing of any funds received, directly or indirectly,

from consumers in connection with any HAF, HOPE or other COVID-19 pandemic relief applications; and,

(d) Destroying, removing, transferring, erasing, or otherwise disposing of any business or financial records relating to Defendants' business operations, including, but not limited to, all business and financial records relating to monies obtained from consumers in connection with Defendants' COVID-19 financial assistance application services.

IT IS FURTHER ORDERED that Defendants be required to produce the following records no later than seven (7) days after the entry of this Temporary Restraining Order:

1. A verified list of the names, addresses, phone numbers, and email addresses of all North Carolina consumers to whom Defendants, or those acting under their direction or control or with their approval, have provided COVID-19 pandemic financial assistance applications, including but not limited to the HAF and HOPE programs, together with an individualized accounting of all payments received from each such consumer;
2. The name and address of every bank at which Defendants maintain deposit, checking, savings, or other bank accounts, and the account number for each such account;
3. A statement of the current monetary balance in each such account held by Defendants, together with a copy of the monthly statements for each such account from October 1, 2020 through the date of entry of the Temporary Restraining Order; and,

4. A current financial statement, showing the current assets and liabilities for Defendants, and the most recent profit and loss statement submitted to the Internal Revenue Service and North Carolina Department of Revenue.

IT IS FURTHER ORDERED that Defendants appear before the Superior Court Judge presiding at the Wake County Courthouse, Courtroom number 10A on the 26 day of May, 2022 at 9:30 o'clock A. m. if they wish to be heard on the State's motion for a preliminary injunction.

SO ORDERED this the 16 day of May, 2022 at 2:23 o'clock P. m.



Superior Court Judge