STATE OF NORTH CAROLINA COUNTY OF WAKE	IN THE GENERAL COURT OF JUSTICE WAKE COUNTY, C.S.G. SUPERIOR COURT DIVISION 11 CVS 014619
STATE OF NORTH CAROLINA COOPER, Attorney General, Plaintiffs,) ex rel. ROY)))
v.)) TEMPORARY RESTRAINING ORDER
GFS STORES, INC., d/b/a/ GRAN FURNITURE GALLERY and MAX ROBERT GODFREY JR.,) D))
Defendants.)
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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 the defendants are engaged in unfair and deceptive practices in violation of N.C.G.S. § 75-1.1. Specifically, defendants have taken and continue to take money from consumers, promising to deliver furniture within a reasonable time period, but defendants regularly fail to deliver the furniture and regularly fail to provide consumers refunds.

It further appears to the Court that immediate and continuing loss 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 agents, officers, employees, and persons acting in concert with them are temporarily restrained from:

- A. accepting new orders or advance deposits for furniture from consumers until all outstanding orders have been filled or refunded and defendants have provided plaintiff with proof of such fulfillment;
- B. if defendants have fully complied with A above, failing to:
 - (i) place all orders with the specified manufacturer(s) within five days of receiving the payment from the customer;
 - (ii) provide specific, realistic delivery dates and notify customers of the circumstances affecting their delivery dates; and
 - (iii) abide by the Mail and Telephone Order Rule, 16 CFR 435.1, by delivering furniture when promised or notifying purchasers of delays and giving them an opportunity to cancel their orders for a full and prompt refund, and make the refund if requested;
- C. 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 21 of plaintiff's complaint;
- D. destroying, transferring, concealing, altering or removing from the possession and control of defendants, their agents, employees, and persons acting in concert with them any financial records, customer contracts, correspondence, business records, and other documents of defendants; and
- E. transferring, withdrawing, concealing, or encumbering any of defendant GFS

Stores, Inc.'s assets without permission of the court; provided, that permission shall not be required if the plaintiff agrees in writing to the expenditures.

IT IS FURTHER ORDERED that, upon proper notice to defendants and within ten (10) days of the entry of this Temporary Restraining Order, a hearing be conducted to determine whether the Temporary Restraining Order, or any reasonable modification thereof, should be continued in the form of a preliminary injunction pending the final adjudication hereof.

Superior Court Judge