

STATE OF NORTH CAROLINA  
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
NO. 14 CVS 14CVS09941

FILED  
AUG -1 AM 9:41  
WAKE COUNTY, C.S.C.  
BY \_\_\_\_\_

STATE OF NORTH CAROLINA, ex rel. )  
ROY COOPER, Attorney General, )  
 )  
Plaintiff, )

v. )

CAROLINA ENERGY GREEN )  
SOLUTIONS, LLC, WILLIAM )  
BERKELHAMMER, individually and in )  
his capacity as owner and manager of )  
CAROLINA ENERGY GREEN )  
SOLUTIONS, LLC, MICHAEL )  
STAPLETON, individually and in his )  
capacity as manager of CAROLINA )  
ENERGY GREEN SOLUTIONS, LLC, )

Defendants. )

**TEMPORARY RESTRAINING ORDER**

**THIS MATTER** came on to be heard and was heard by the undersigned Judge presiding over the July 31, 2014, civil session of Wake County Superior Court upon plaintiff State of North Carolina’s application for a Preliminary Injunction Order under N.C. Gen. Stat. § 75-14. The State has requested that such an order prohibit defendants from, *inter alia* performing or offering to perform home insulation work for North Carolina homeowners, collecting money from homeowners for home insulation jobs or violating the Telephone Solicitors Act. Assistant Attorney General Hugh Harris appeared on the State’s behalf at the appointed time for the Preliminary Injunction Order hearing. Plaintiff’s counsel represented to the Court that he gave due notice of the time and location of this hearing to defendants and he had sent defendant-Berkelhammer’s attorney an electronic copy of the Complaint and notice of hearing. Plaintiff’s counsel further represented to the Court defendant-Berkelhammer’s attorney provided

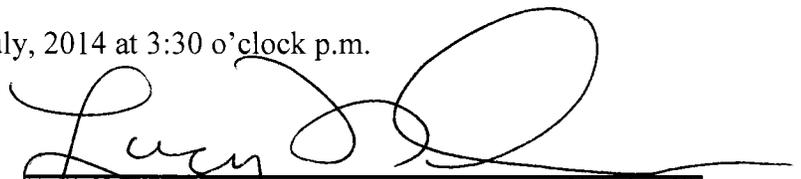
confirmation they will not oppose entry of the Temporary Restraining Order. No one appeared at the hearing on behalf of defendant-Michael Stapleton after notification. It appears to the Court from the Complaint and the affidavits filed in substantiation thereof that there is a strong likelihood that the State will prevail in this action. It also appears to the Court that the State's request for a Temporary Restraining Order should be entered in order to prevent further violations of the Unfair and Deceptive Trade Practices Act and prevent further violation of the Telephone Solicitors Act and further harm to the public.

**IT IS THEREFORE ORDERED** that the State's application for a Temporary Restraining Order is allowed and that defendants, together with their agents, employees, successors and assigns, be and hereby are Temporarily Restrained from performing or offering to perform home insulation work, collecting money from homeowners for home insulation jobs or violating the Telephone Solicitors Act from any North Carolina home owner.

**IT IS FURTHER ORDERED** that defendants shall appear before the court on August 11, 2014, at 10 o'clock p.m., in Courtroom 10C of the Wake County Courthouse there to show cause, if there might be:

1. Why the terms and conditions set forth above should not be extended until the final resolution of this action through entry of a Preliminary Injunction under N.C. Gen. Stat. § 75- and Rule 65 of the Rules of Civil Procedure

**SO ORDERED** this the 31<sup>st</sup> day of July, 2014 at 3:30 o'clock p.m.

  
\_\_\_\_\_  
JUDGE LUCY INMAN  
SUPERIOR COURT JUDGE