

STATE OF NORTH CAROLINA
WAKE COUNTY

FILED IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
2018 SEP 28 P.M. 4:18
NO. 18 CVS 11871

STATE OF NORTH CAROLINA *ex rel.*
JOSHUA H. STEIN, Attorney General,
BY M WAKE COUNTY, C.S.C.
Plaintiff,

v.

ALVA WILSON LEWIS, a/k/a AL LEWIS,
Individually, and d/b/a A1 TREE & STORM
RELIEF, and A1 TREE AND STORM
DAMAGE RELIEF, and BIG AL & SONS
TREE SERVICE,

Defendant.

ORDER

THIS MATTER came to be heard and was heard by the undersigned Judge presiding over the September 28, 2018 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.

~~The State has~~ ^{NG}

After considering the complaint, the affidavits attached thereto, and the State's argument, the Court grants the motion.

IT IS THEREFORE ORDERED that Defendant, together with his agents, employees, representatives, successors and assigns, and any persons acting in concert with Defendant, be temporarily restrained, under N.C. Gen. Stat. § 75-14, from

1. engaging in unfair or deceptive acts or practices in violation of N.C. Gen. Stat. § 75-1.1, including but not limited to the acts and practices set forth in the Complaint;
2. engaging in price gouging in violation of N.C. Gen. Stat. § 75-38;

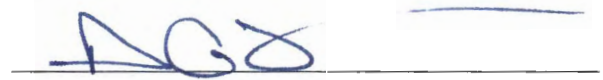
3. advertising, offering, soliciting, or entering into contracts, or receiving payment for any tree or bush trimming or removal services, debris removal, or storm damage recovery or restoration services in North Carolina;
4. performing or providing any tree or bush trimming or removal services, debris removal, or storm damage recovery or restoration services in North Carolina;
5. destroying, removing, transferring, erasing, or otherwise disposing of any business or financial records relating to Defendant's businesses, including but not limited to any business or financial records relating to monies obtained from any North Carolina consumer; and
6. transferring, withdrawing, concealing, disposing, or encumbering any of Defendant' assets without permission of the Court.

IT IS FURTHER ORDERED That Defendant be required to produce the following records no later than three days prior to the preliminary injunction hearing or within ten days of entry of a temporary restraining order, whichever is sooner:

7. a verified list of the names and addresses of all North Carolina consumers to whom Defendant, or those acting under his direction or control or with his approval, has provided products or services since January 1, 2012, together with an individualized accounting of all payments received from each such consumer;
8. the name and address of every bank at which Defendant maintains deposit, checking, or other accounts, along with the account number for each such account, a statement of the current monetary balance in each such account, and a copy of the most recent bank statement for each such account; and

9. a current balance sheet and the most recent profit and loss statement for each business Defendant, or those acting under his direction or control or with his approval, operates in North Carolina or which provides products or services to North Carolina consumers.

IT IS FURTHER ORDERED that Defendant appear before this Court at 10 o'clock a.m., October 8, 2018, in Courtroom 10^c of the Wake County Courthouse in Raleigh, North Carolina, if he wishes to be heard on the State's application for a Preliminary Injunction.



Hon. A. Graham Skiby

SUPERIOR COURT JUDGE

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served a copy of the foregoing Temporary Restraining Order ("TRO") upon defendant Alva Wilson Lewis by depositing a copy on the U.S. Mail, Certified Mail, Return Receipt Requested, and addressed to:

Alva Wilson Lewis
257 Briggstown Road
Lexington, NC 27292

This the 28th day of September, 2018.



K. D. Sturgis
Special Deputy Attorney General