

FILED
Clerk of the Superior Court

JUL 23 2007

By: E. CASTANEDA, Deputy

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1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 WAYNE STRUMPFER
Deputy Commissioner
3 ALAN S. WEINGER
Lead Corporations Counsel
4 ALEX CALERO (SBN 238389)
Corporations Counsel
5 CALIFORNIA DEPARTMENT OF CORPORATIONS
1350 Front Street, Room 2034
6 San Diego, California 92101
Telephone: (619) 525-4044

7 Attorneys for the People of the State of California

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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF SAN DIEGO

11 THE PEOPLE OF THE STATE OF
12 CALIFORNIA, by and through the
COMMISSIONER OF CORPORATIONS,

13 Plaintiff,

14 vs.

15 MONUMENTAL FUNDING, L.L.C., a
16 California limited liability company;
MONUMENTAL FUNDING
17 CORPORATION, a California corporation;
18 JERMAINE D. BOONE, as an individual;
19 WILLIAM E. BIDDLE III, as an individual;
and Does 1 through 10, inclusive,

20 Defendants.

Case No.: 37-2007-00071452-CU-MC-CTL

TEMPORARY RESTRAINING
ORDER AND ORDER TO SHOW CAUSE
RE: PRELIMINARY INJUNCTION

Judge: BLOOM
Dept: C-70

Hearing Date: 7/23/07
Hearing Time:
Date Action Filed: 7/19/07
Trial Date:

21 TO ALL DEFENDANTS AND THEIR COUNSEL OF RECORD:

22
23 The Ex Parte Application for Temporary Restraining Order; and Order to Show Cause Re:
24 Preliminary Injunction, came on regularly at the above date and time and in the Department
25 indicated. Plaintiff, the People of the State of California by and through the California Corporations
26 Commissioner ("Commissioner") was represented by Corporations Counsel Alex Calero.

27 After consideration of Plaintiff's Ex Parte Application, Complaint, Memorandum of Points
28 and Authorities in support thereof, Declarations and evidence in support thereof, the Court finds that

1 the People have demonstrated a likelihood of prevailing on the merits of the action and the absence of
2 any substantive opposition or defense to the request for injunctive relief, and FOR GOOD CAUSE
3 APPEARING

4 IT IS THEREBY ORDERED THAT:

5 1. Pursuant to California Corporations Code section 25530, a Temporary Restraining
6 Order is hereby issued restraining and enjoining Defendants, Monumental Funding L.L.C., a
7 California limited liability company, Monumental Funding Corporation, a California corporation,
8 Jermaine D. Boone, an individual, William E. Biddle III, an individual, Does 1 through 10 and their
9 officers, directors, successors in interest, agents, employees, attorneys in fact, and all persons acting
10 in concert or participating with them, or any of them, from directly or indirectly:

11 A. Violating California Corporations Code section 25110, by offering to sell,
12 selling, arranging for the sale of, issuing, engaging in the business of selling, negotiating for the sale
13 of any security of any kind, unless such security or transaction is qualified;

14 B. Violating California Corporations Code section 25401, by offering to sell or
15 selling any security of any kind, including but not limited to, the securities described in this
16 Complaint, by means of any written or oral communication which includes any untrue statement of
17 material fact or omits or fails to state any material fact necessary in order to make the statements
18 made, in the light of the circumstances under which they are made, not misleading;

19 C. Violating the Desist and Refrain Order issued by the California Corporations
20 Commissioner on December 4, 2006, by offering and selling unqualified, non-exempt securities in
21 violation of California Corporations Code section 25110;

22 D. Removing, destroying, mutilating, concealing, altering, transferring, or
23 otherwise disposing of, in any manner, any books, records, computer programs, computer files,
24 computer printouts, correspondence, brochures, manuals, or any other "writing" or "document" of
25 any kind as defined under California Evidence Code section 250, relating to the transactions and
26 course of conduct as alleged in the complaint of this action, unless authorized by this Court; and

27 E. Withdrawing from any bank account or disposing of any real or personal
28 property in their possession, custody or control, without leave of the Court.

1 IT IS FURTHER ORDERED THAT:

2 Pursuant to Code of Civil Procedure section 527(d)(1), an Order to Show Cause hearing shall
3 be held on August 3, 2007, at 11:00 AM, in Department 70 of this
4 Court, at which time Defendants shall show why a preliminary injunction should not be granted. The
5 hearing shall be held in accordance with Code of Civil Procedure section 527(e).

6 The following briefing schedule shall apply: If Defendants choose to submit written
7 statements or objections to the issuance of a preliminary injunction, papers must be filed with the
8 Court no later than 7/30, 2007, at 10:00 AM, and served by facsimile and
9 overnight mail on the California Corporations Commissioner. If the California Corporations
10 Commissioner chooses to file a reply, papers must be filed no later than 7/31, 2007, at
11 4:30 PM, and served by facsimile and overnight mail on the Defendants at the business
12 address.

13 A copy of the Ex Parte Application, the Order Issuing this Temporary Restraining Order, the
14 Complaint, the Memorandum of Points and Authorities in support thereof, the Declarations in support
15 thereof, and all other exhibits in support thereof, together with a copy of the Order to Show Cause
16 shall be served on all Defendants no later than 7/24/07, 2007, at 4:30 PM pursuant
17 to the Code of Civil Procedure section 527(d)(2).

18 IT IS SO ORDERED.

19
20 Dated: July 23, 2007
21 San Diego, California

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23 _____
24 JUDGE OF THE SUPERIOR COURT