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SACRAMENTO COURTS
DEPT. #53

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California Corporations Commissioner
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Deputy Commissioner
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7 Attorneys for the Plaintiff

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9 IN THE SUPERIOR COURT OF CALIFORNIA
10 IN AND FOR THE COUNTY OF SACRAMENTO

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

13 Plaintiff,

14 vs.

15
16 OLA ROBERT HASSAN, an individual, JANET
PHIFER, an individual, OLA'S EXOTIC
17 COFFEE, INC., and DOES 1-10 inclusive.

18 Defendants.
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Case No.: 07AS04971

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

Hearing Date: November 8, 2007

Hearing Time: 10:00 a.m.

Date Action Filed: November 6, 2007

20 TO ALL PARTIES AND COUNSEL:

21 The Ex Parte Application for Temporary Restraining Order and Request for Order to Show
22 Cause came on regularly for hearing at the above date and time and in the Department indicated.
23 Plaintiff, the People of the State of California, by and through Preston DuFauchard, the California
24 Corporations Commissioner ("Commissioner"), was represented by Senior Corporations Counsel,
25 Erik R. Brunkal.

26 After consideration of Plaintiff's Ex Parte Application, Complaint, Memorandum of Points
27 and Authorities in Support thereof, Declarations and evidence submitted along herewith, the Court
28 finds that the People have demonstrated a reasonable probability of prevailing on the merits of the

1 action and the absence of any substantive defenses or opposition to the request for injunctive relief,
2 thus FOR GOOD CAUSE APPEARING;

3 IT IS HEREBY ORDERED THAT:

4 1. Pursuant to California Corporations Code section 31400, a Temporary Restraining Order is
5 hereby issued restraining and enjoining Defendants Ola Robert Hassan ("Hassan"), as an individual
6 and as President, CEO, and Chairman of the Board of Ola's Exotic Coffee, Inc., Janet Phifer
7 ("Phifer"), Director of Marketing and Ola's Exotic Coffee, Inc. ("Ola's Coffee"), itself, and its
8 officers directors, successors in interest, agents, employees, attorneys-in-fact, and all persons acting
9 in concert or participating with them, or any of them, from directly or indirectly:

10 a. Violating California Corporations Code section 31110 by offering and/or selling
11 franchises in the State of California without first obtaining an order from the Commissioner
12 registering the offer;

13 b. Violating California Corporations Code section 31203 by violating the Desist and
14 Refrain Order issued by the Commissioner prohibiting the offer and/or sale of unregistered franchises
15 in the State of California by Defendants Hassan, Phifer, and Ola's Coffee;

16 c. Removing, destroying, mutilating, concealing, altering, transferring, or otherwise
17 disposing of, in any manner, any books, records, documents, correspondence, brochures, manuals, or
18 other documents of any kind in their possession, custody, or control relating to any of the affiliated
19 "persons," as that term is defined in California Corporations Code section 31015, or related business
20 entities, franchisees, or vendors;

21 d. Transferring, changing, disbursing, selling, dissipating, converting, pledging,
22 assigning, foreclosing, or otherwise disposing of any real or personal property or assets in their
23 possession or under their control, or in the possession of, or under the control of any of them, which
24 property or other assets are or were to be held for the benefit of Defendants' franchisees, assignees, or
25 investors of Defendants, and each of them, whether in trust or otherwise.

26 IT IS FURTHER ORDERED THAT:

27 Pursuant to Code of Civil Procedure section 527(d)(1), an Order to Show Cause hearing shall
28 be held on DEC 12, 2007, at 2:00 P.M., in Department 53 of this

1 Court, at which time Defendants shall show why a preliminary injunction should not be granted. The
2 hearing shall be held in accordance with Code of Civil Procedure section 527(e).

3 The following briefing schedule shall apply: If Defendants choose to submit written
4 statements or objections to the issuance of a preliminary injunction, papers must be filed with the
5 Court no later than NOV 26, 2007, at 4:30, and served by facsimile and
6 overnight mail on the Commissioner. If the Commissioner chooses to file a reply, papers must be
7 filed no later than DEC 5, 2007, at 4:30, and served by facsimile and
8 overnight mail on the Defendants at their business address.

9 A copy of the Ex Parte Application, the Order Issuing this Temporary Restraining Order, the
10 Complaint, the Memorandum of Points and Authorities in support thereof, the Declarations in support
11 thereof, and all other exhibits in support thereof, together with a copy of the Order to Show Cause
12 shall be served on all Defendants within five (5) days of this order or two (2) days prior to the Order
13 to Show Cause (whichever is earlier), but no later than NOV 26, 2007, at 4:30,
14 pursuant to the Code of Civil Procedure section 527(d)(2).

15 IT IS SO ORDERED.

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17 Dated: November 8, 2007

18 JUDGE OF THE SUPERIOR COURT
19 LOREN E. McMASTER
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