

FEES WAIVED \$ 20 GGC CODE 6103

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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

SEP 05 2007

ALAN SLATER, Clerk of the Court

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

12 THE PEOPLE OF THE STATE OF
13 CALIFORNIA, by and through the California
14 Corporations Commissioner,
15 Plaintiff,

16 v.

17 SUPER ABSORBENT COMPANY, a NEVADA
Corporation;
18 SYNCHRONIZED FUNDING, LLC, a
19 California Limited Liability Company;
20 PHILLIP BERLIN, an individual;
21 MARK IAN SINKINSON, an individual; and
22 DOES 1 through 50, inclusive,
23 Defendants.

CASE NUMBER 07CC01339
ASSIGNED FOR ALL PURPOSES TO:
JUDGE DAVID C. VELASQUEZ
DEPARTMENT CX101

(PROPOSED)
ORDER OF PRELIMINARY INJUNCTION AS
TO DEFENDANTS
HEARING DATE: None
DATE ACTION FILED: 8/7/07
NO TRIAL DATE

(PROPOSED)
ORDER OF PRELIMINARY INJUNCTION AS TO DEFENDANTS

1 Plaintiff, The People of the State of California, by and through Preston DuFauchard, the
2 California Corporations Commissioner ("Plaintiff" or "Commissioner") and Defendants Super
3 Absorbent Company, Synchronized Funding, LLC, Phillip Berlin and Mark Sinkinson (hereinafter
4 collectively "Defendants"), by and through Thomas Brown of the law firm of Brown & White, LLP,
5 have stipulated as follows:

6 A. Plaintiff has filed and served a Complaint against the Defendants.

7 B. The Defendants have read the Complaint, the Stipulation to the Order of Preliminary
8 Injunction ("Stipulation") and the proposed Order of Preliminary Injunction as to the Defendants
9 ("Order of Preliminary Injunction") in the form attached hereto as Exhibit 1.

10 C. The Defendants, without admitting or denying the allegations in the Complaint and without
11 notice of further proceedings, have voluntarily consented to the entry by the Court of an Order of
12 Preliminary Injunction.

13 D. Plaintiff and the Defendants stipulate and agree that the Stipulation may be executed in one
14 or more separate counterparts, each of which when so executed, shall be deemed an original. Such
15 counterparts shall together constitute and be one and the same instrument.

16 E. The Defendants stipulate and agree that they enter into the Stipulation voluntarily and
17 without coercion, and have acknowledged that no promises, threats or assurances have been made by
18 Plaintiff or any officer, or agent thereof to induce them to enter into the Stipulation.

19 **PURSUANT TO STIPULATION OF THE PARTIES AND GOOD CAUSE**
20 **APPEARING THEREFOR, IT IS HEREBY ORDERED THAT DURING THE PENDENCY**
21 **OF THIS ACTION:**

22 Defendants Super Absorbent Company, Synchronized Funding, LLC, Phillip Berlin and
23 Mark Sinkinson, (hereinafter collectively "Defendants"), and their agents, employees, attorneys in
24 fact in their capacities as such, and all persons acting in concert or participating with them, shall be
25 and are hereby preliminarily enjoined from engaging in, committing, aiding and abetting, or
26 performing directly or indirectly, by any means whatsoever, any of the following acts:

27 a. Violating California Corporations Code Section 25110 by offering to sell, selling,
28 arranging for the sale of, issuing, engaging in the business of selling, negotiating for the sale of, or

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(PROPOSED)
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1 otherwise in any way dealing or participating in the offer or sale, in this state, of any security of any
2 kind, including but not limited to the securities described in the Complaint filed in this action, unless
3 and until the Defendants shall have first applied for, and secured from the Commissioner, a
4 qualification pursuant to California Corporations Code Section 25111, 25112, or 25113 authorizing
5 the offer and sale of such securities;

6 b. Violating California Corporations Code section 25130 by offering to sell, selling,
7 arranging for the sale, issuing, engaging in the business of selling, negotiating for the sale of, or
8 otherwise in any way dealing or participating in the offer or sale, in this state, of any security of any
9 kind, including but not limited to the securities described in this Complaint, unless such security or
10 transaction is qualified;

11 c. Violating California Corporations Code Section 25401 by offering to sell or
12 selling any security, in this state, by means of any written or oral communication of any kind
13 whatsoever which includes any untrue statement of any material fact or omits or fails to state any
14 material fact necessary in order to make the statements made, in light of the circumstances under
15 which they were made, not misleading, including but not limited to the misrepresentations and
16 omissions described in the Complaint filed in this action;

17 d. Violating the Desist and Refrain Order issued against Berlin and Sinkinson in
18 August 2002 in connection with MyOnlyCatalog.com, Inc., now known as Commerce Syndication
19 Network, Inc., and the Desist and Refrain Order issued against Berlin in November 1994 in
20 connection with Capital Peak Partners; and

21 e. Removing, destroying, mutilating, concealing, altering, transferring or otherwise
22 disposing of, in any manner, any books, records, computer files, correspondence, brochures, manuals
23 or any other writings or documents of any kind as defined under California Evidence Code Section
24 250 relating to the transactions and course of conduct as alleged in the Complaint filed in this action,
25 that are in the possession, custody or control of the Defendants.

26 DATED: 9-5-07

DAVID C. VELASQUEZ

JUDGE OF THE SUPERIOR COURT OF THE
STATE OF CALIFORNIA FOR THE
COUNTY OF ORANGE