

2. **IT IS THEREFORE ORDERED** that Defendants, Defendants Gayln Pat Davis, Pamela J. Davis, David Moran, and Texas Police Officers Alliance, a Texas corporation, their officers, agents, servants, employees, attorneys and any other persons in active concert or participation with them, who receive actual notice of this order by personal service or otherwise, whether acting directly or through any trust, corporation, subsidiary, division, or other devise, shall be restrained from engaging in the following acts or practices:

A. Transferring, concealing, destroying, or removing from the jurisdiction of this Court any books, records, documents, invoices or other written materials relating to the Defendants' business currently or hereafter in Defendants' possession, custody or control except in response to further orders or subpoenas in this cause;

B. Soliciting funds on behalf of or for the benefit of Defendants or any public safety entity, including, but not limited to Texas Police Officers Alliance, as well as any other law enforcement related business, magazine, publication or cause until Defendants have fully complied with:

1) § 1803.053 of the Texas Occupations Code by filing a registration statement with the Texas Secretary of State which discloses all of the following:

a) the name, street address, and telephone number of any public safety solicitor for defendants or any publication;

b) the name, street address, and telephone number of each public safety organization, public safety publication, or fund for which any part of the contributions will be used, or if there is no organization, publication, or fund, a statement describing how the contributions will be used;

- c) whether the registering entity or fund that the contributions are being solicited for has a federal and state charitable tax exemption;
- d) the name and public safety agency or former agency of each active and retired public safety officer serving on the board of directors or governing body of the registering entity;
- e) the number of members and the percentage of members of the entity who are active and retired public safety officers of the United States, this state, or a political subdivision of this state, as determined on December 31 of the year preceding the year in which the registration is made and the contributions are solicited, if the registering entity is a public safety organization;
- f) the name of the local chapter, lodge, association, or group of licensed public safety officers of the public safety organization for which contributions are being solicited, if the registering entity is a public safety organization;
- g) a copy of the most recent tax or informational return filed with the Internal Revenue Service by the registering entity;
- h) the amount of money collected during the previous year by the registering entity by solicitations of nonmembers of the public safety organization for which the funds were collected and the amount of funds paid as expenses to maintain the solicitation operation;
- i) the amount of money, if known or projected, expected to be collected during the year of filing by the registering entity by nonmember solicitations described by subdivision (h); and
- j) a copy of any contract or agreement between the registering entity and a solicitor.

2) § 1803.054 of the Texas Occupations Code by paying an annual registration fee to the Texas Secretary of State;

3) § 1803.055 of the Texas Occupations Code by having its public safety solicitors file a registration statement with the Texas Secretary of State;

4) § 1803.056 of the Texas Occupations Code by having each of its public safety solicitors post a surety bond with the Texas Secretary of State; and

5) § 1803.101 of the Texas Occupations Code by making required disclosures to contributors.

C. Representing, expressly or by implication, that Defendants are affiliated with, endorsed by, authorized by, supported by, associated with or are in any way related to any law enforcement organization, group or cause;

D. Mailing, faxing or forwarding any invoice, letter or thing to any business or person wherein such invoice, letter or thing seeks, demands, or requests any type of payment or contribution on behalf of any public safety entity or publication until Defendant has fully complied with:

1) § 1803.053 of the Texas Occupations Code by filing a registration statement with the Texas Secretary of State which discloses all of the following:

a) the name, street address, and telephone number of any public safety solicitor for defendant or any publication;

b) the name, street address, and telephone number of each public safety organization, public safety publication, or fund for which any part of the contributions will be used, or if there is no organization, publication, or fund, a statement describing how the contributions will be used;

- c) whether the registering entity or fund that the contributions are being solicited for has a federal and state charitable tax exemption;
- d) the name and public safety agency or former agency of each active and retired public safety officer serving on the board of directors or governing body of the registering entity;
- e) the number of members and the percentage of members of the entity who are active and retired public safety officers of the United States, this state, or a political subdivision of this state, as determined on December 31 of the year preceding the year in which the registration is made and the contributions are solicited, if the registering entity is a public safety organization;
- f) the name of the local chapter, lodge, association, or group of licensed public safety officers of the public safety organization for which contributions are being solicited, if the registering entity is a public safety organization;
- g) a copy of the most recent tax or informational return filed with the Internal Revenue Service by the registering entity;
- h) the amount of money collected during the previous year by the registering entity by solicitations of nonmembers of the public safety organization for which the funds were collected and the amount of funds paid as expenses to maintain the solicitation operation;
- i) the amount of money, if known or projected, expected to be collected during the year of filing by the registering entity by nonmember solicitations described by subdivision (h); and
- j) a copy of any contract or agreement between the registering entity and a solicitor.

2) § 1803.054 of the Texas Occupations Code by paying an annual registration fee to the Texas Secretary of State;

3) § 1803.055 of the Texas Occupations Code by having its public safety solicitors file a registration statement with the Texas Secretary of State;

4) § 1803.056 of the Texas Occupations Code by having each of its public safety solicitors post a surety bond with the Texas Secretary of State; and

5) § 1803.101 of the Texas Occupations Code by making required disclosures to contributors and advertisers;

E. Telephoning, calling or in any way initiating contact with any business or person for the purpose of seeking, selling, or requesting any type of contribution, money, or funds for advertising from said business or person on behalf of any public safety entity or publication until Defendants have fully complied with:

1) § 1803.053 of the Texas Occupations Code by filing a registration statement with the Texas Secretary of State which discloses all of the following:

a) the name, street address, and telephone number of any public safety solicitor for defendant or any publication;

b) the name, street address, and telephone number of each public safety organization, public safety publication, or fund for which any part of the contributions will be used, or if there is no organization, publication, or fund, a statement describing how the contributions will be used;

c) whether the registering entity or fund that the contributions are being solicited for has a federal and state charitable tax exemption;

- d) the name and public safety agency or former agency of each active and retired public safety officer serving on the board of directors or governing body of the registering entity;
 - e) the number of members and the percentage of members of the entity who are active and retired public safety officers of the United States, this state, or a political subdivision of this state, as determined on December 31 of the year preceding the year in which the registration is made and the contributions are solicited, if the registering entity is a public safety organization;
 - f) the name of the local chapter, lodge, association, or group of licensed public safety officers of the public safety organization for which contributions are being solicited, if the registering entity is a public safety organization;
 - g) a copy of the most recent tax or informational return filed with the Internal Revenue Service by the registering entity;
 - h) the amount of money collected during the previous year by the registering entity by solicitations of nonmembers of the public safety organization for which the funds were collected and the amount of funds paid as expenses to maintain the solicitation operation;
 - i) the amount of money, if known or projected, expected to be collected during the year of filing by the registering entity by nonmember solicitations described by subdivision (h); and
 - j) a copy of any contract or agreement between the registering entity and a solicitor.
- 2) § 1803.054 of the Texas Occupations Code by paying a registration fee to the Texas Secretary of State;

3) § 1803.055 of the Texas Occupations Code by having its public safety solicitors file a registration statement with the Texas Secretary of State;

4) § 1803.056 of the Texas Occupations Code by having each of its public safety solicitors post a surety bond with the Texas Secretary of State; and

5) § 1803.101 of the Texas Occupations Code by making required disclosures to contributors and advertisers; and

F. Representing, expressly or by implication, orally or in writing, that the funds solicited by Defendants will be used for one purpose, when in fact they will be used for another.

3. **IT IS FURTHER ORDERED** that Plaintiff shall be granted leave to take telephonic, video, written, and other depositions prior to any scheduled temporary injunction hearing upon reasonable shortened notice to Defendants.

4. **IT IS FURTHER ORDERED** that Defendants in this cause be and hereby are commanded forthwith to comply with this Order from the date of entry until and to the fourteenth (14) day after entry or until further order of this Court, whichever is less.

The Clerk of the above-entitled Court shall forthwith issue an ex parte temporary restraining order in conformity with the law and the terms of this Order. This Order shall be effective without the execution and filing of a bond as Plaintiff, State of Texas, is exempt from such bond under TEX. BUS. & COM. CODE ANN. § 17.47(b).

Hearing on Plaintiff, State of Texas' Application for a Temporary Injunction is hereby set for the _____ day of _____ 2003 at _____ o'clock, ____ m.

SIGNED this _____ day of August 2003 at _____ o'clock, ____ m.

JUDGE PRESIDING