

No. DC-08-07512-1M

~~FILED
08 JUL 28 PM 1:14
GERALD W. SIMONS
DISTRICT CLERK
DALLAS CO., TEXAS
DEPUTY~~

STATE OF TEXAS,
Plaintiff,

v.

ESTHER MEDICAL INSTITUTE INC.
d/b/a ESTHER MEDICAL TUTORIAL
& NURSING REVIEW CENTER
and ESTHER OLERU and TOBECHI
OLERU, Individually,
Defendants.

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IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

298th JUDICIAL DISTRICT

AGREED TEMPORARY INJUNCTION

ON THIS DAY THE COURT Plaintiff and Defendant have consented to the entry of this Agreed Temporary Injunction and jointly move that the Court enter this Agreed Temporary Injunction.

On this day, the agreement of the parties in this case was presented to this Court as evidenced by their signatures below, as their announcement that they have agreed to the terms of this Agreed Temporary Injunction. The Court, after considering the agreement of the parties, the pleadings and attached exhibits, and supporting authorities, is of the opinion that the requirements of Section 17.47 of the Deceptive Trade Practices Act and Section 132.304 of the Texas Education Code have been met and renders this Temporary Injunction.

The Court finds that the Texas Workforce Commission issued a Cease and Desist Order to Esther Oleru and Esther Medical Tutorial & Nursing Review Center on March 5, 2008. The Court finds that a temporary injunction prohibiting the Defendant from operating the unapproved career school known as Esther Medical Tutorial & Nursing Review Center or any other unapproved career

school is necessary under section 17.47 of the DTPA and Section 132.304 of the Texas Education Code.

IT IS THEREFORE ORDERED that Defendant ESTHER MEDICAL INSTITUTE INC. (“EMII”) d/b/a ESTHER MEDICAL TUTORIAL & NURSING REVIEW CENTER and ESTHER OLERU and TOBECHI OLERU, INDIVIDUALLY, and the Defendant’s officers, agents, servants, employees, and attorneys, and all persons in active concert or participation with the Defendant who receive actual notice of the order, are enjoined and restrained from:

A. Operating ESTHER MEDICAL TUTORIAL & NURSING REVIEW CENTER in the State of Texas without a certificate of approval from the Texas Workforce Commission;

B. Operating any other career school in Texas without a certificate of approval or notice of exemption from the Texas Workforce Commission;

C. Soliciting or accepting students for ESTHER MEDICAL TUTORIAL & NURSING REVIEW CENTER or any other career school in Texas without a certificate of approval or notice of exemption from the Texas Workforce Commission;

D. Providing courses of study whether through classroom instruction or online training for ESTHER MEDICAL TUTORIAL & NURSING REVIEW CENTER or any other career school in Texas without a certificate of approval or notice of exemption from the Texas Workforce Commission;

E. Collecting tuition, fees, or any other payment for programs at ESTHER MEDICAL TUTORIAL & NURSING REVIEW CENTER or any other career school in Texas operating without a certificate of approval or notice of exemption from the Texas Workforce Commission.

F. Transferring, spending, hypothecating, concealing, encumbering or removing from

the jurisdiction of this Court any money, stocks, bonds, assets, notes, equipment, funds, accounts receivable, policies of insurance, trust agreements, student records, student transcripts, student applications, employee records, or any other property, real, personal or mixed, wherever situated, belonging to or owned by, in possession of, or claimed by Defendants, insofar as such property relates to, arises out of or is derived from the business operation of the Defendants school, ESTHER MEDICAL TUTORIAL & NURSING REVIEW CENTER.

THE COURT FINDS that pursuant to the signatures of the Defendants hereinbelow, that the Defendants have acknowledged receipt and notice of this Order and all its provisions.

IT IS FURTHER ORDERED that this order is effective until further order of this Court.

IT IS FURTHER ORDERED that the State is exempt from filing bond and that the Clerk shall, upon request of the Plaintiff, issue a Writ of Injunction pursuant to this Order.

IT IS FURTHER ORDERED that this case is set for trial before this Court on the 13 day of Jan., 200~~8~~⁹ at 9:00 a.m.

Signed this 10 day of July 2008. @ 10:50 a.m.

Emily A. Tolobaea
JUDGE PRESIDING

07/02/2008 16:53 214-969-7615

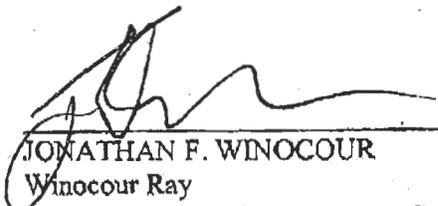
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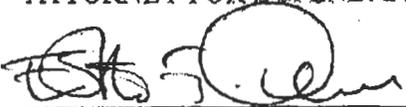
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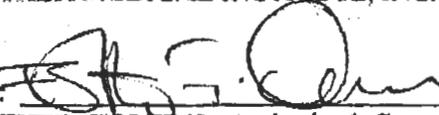
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 DEFENDANT

ESTHER MEDICAL INSTITUTE, INC.

By: 
 ESTHER TOLERU, Authorized Corporate
 Representative
 DEFENDANT


 TOBECHI OLERU
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 Richardson, Texas 75080
 DEFENDANT