

CAUSE NO. 10-06364-I

FH1 FINANCIAL SERVICES, INC.,

Plaintiff,

v.

FINANCIAL PLANNING  
COUNSELORS OF AMERICA, INC and  
ALEXANDER T. FENDER, JR.,

Defendants.

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IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

162ND JUDICIAL DISTRICT

**TEMPORARY RESTRAINING ORDER AND ORDER  
SETTING HEARING FOR TEMPORARY INJUNCTION**

WHEREAS, FH1 Financial Services, Inc. (“FH1”), Plaintiff in the above-entitled action, has applied for a temporary restraining order against Defendant Alexander T. Fender, Jr. (“Fender”);

WHEREAS, FH1 has provided notice to opposing counsel with a copy of the application and proposed order at least 2 hours before the application and proposed order were presented to the Court for decision;

WHEREAS, from the Affidavits of Jacob Hunt and Daniel Vejman filed in this case it appears that Defendant has committed the unlawful acts complained of in Plaintiff’s Application in violation of Plaintiff’s rights; that Plaintiff has no adequate remedy at law; that Plaintiff will likely succeed on the merits of its case; and that substantial, irreparable, and imminent loss and injury to Plaintiff will occur unless a temporary restraining order be issued to Defendant;

THEREFORE, in view of the above findings of this Court, Plaintiff’s Application for a Temporary Restraining Order is hereby granted by this Court, as follows:

**TEMPORARY RESTRAINING ORDER AND ORDER SETTING HEARING FOR TEMPORARY  
INJUNCTION**

IT IS ORDERED that Defendant Fender, and Defendant Fender's officers, agents, servants, employees, and attorneys, and all persons engaged in active concert or participation with Defendant Fender who receive actual notice of this order shall be and hereby are restrained and enjoined from:

(a) publishing and/or communicating any false, defamatory statement about FH1, its officers and employees (current and former) relating to FH1, business dealings alleging any fraud or impropriety, investigations or lawsuits, and/or alleged debts; and

(b) from publishing photographs of officers and employees (current or former) without their permission;

IT IS FURTHER ORDERED that Defendant Fender shall remove the current website [www.shameonfhfinancialservice.com](http://www.shameonfhfinancialservice.com), including all of its sub-pages, from the internet. If any material is published or re-published on this website at a later date, it shall comply with all provisions of this entire Order.

IT IS FURTHER ORDERED that Defendant Fender shall have the posting of Report #601789 on "Ripoff Report" on their website [www.ripoffreport.com](http://www.ripoffreport.com), and all updates to Report #601789, removed from publication. If any material is published or re-published on this website at a later date, it shall comply with all provisions of this entire Order.

IT IS FURTHER ORDERED that a copy of this Order be served upon counsel for Defendant.

~~IT IS FURTHER ORDERED that the hearing on Plaintiff's application for temporary injunction is set for \_\_\_\_\_ 2010 at \_\_\_\_\_ a.m./p.m. in the 162nd Judicial District Court of Dallas County, Texas. The purpose of this hearing shall be to~~



**TEMPORARY RESTRAINING ORDER AND ORDER SETTING HEARING FOR TEMPORARY INJUNCTION**

determine whether this temporary restraining order should be made a temporary injunction pending a full trial on the merits. Sep

IT IS FURTHER ORDERED that bond is set in the amount of \$ 4,000.00, and that this restraining order shall take effect immediately and shall continue in full force and effect until the further order of the Court, provided this Temporary Restraining Order shall expire no later than September 27, 2010, unless the Court shall extend the term of this Order for good cause shown for a like period or unless Defendant consents to an extension for a longer period.

Dated this 13<sup>th</sup> day of September, 2010 at 12:30 a.m./p.m.

Thomas A. Raggio  
JUDGE PRESIDING

Parties are hereby Ordered to mediate - as soon as possible - with Keith Clouse, (214) 239-2705

Thomas A. Raggio  
Judge Presiding

TEMPORARY RESTRAINING ORDER AND ORDER SETTING HEARING FOR TEMPORARY INJUNCTION