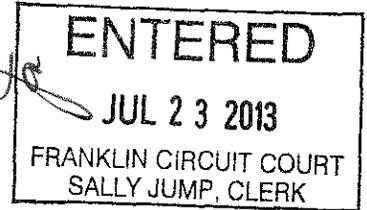


COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
DIVISION II

CIVIL ACTION No. 12-CI-894



COMMONWEALTH OF KENTUCKY, EX REL.
JACK CONWAY, ATTORNEY GENERAL

PLAINTIFF

vs.

DONALD R. CURTIS, INDIVIDUALLY AND
D/B/A RESOURCE GRANITE SALES

DEFENDANT

INJUNCTION AND ORDER

The Plaintiff's Motion to Enforce Consent Judgment and Grant Additional Injunctive Relief Against Defendant (herein "Motion") was heard by this Court on May 22, 2013, and counsel for both parties was present. The Court is well and sufficiently advised.

A Consent Judgment was entered in this action on July 10, 2012, and the Plaintiff alleges in the Motion that the Defendant has violated the Consent Judgment and KRS 367.170. The Defendant, by counsel, indicated at the hearing that a refund is owed to at least one customer and requested a six month continuance in order for the Defendant to provide a full refund, or refunds, and to determine if there are other customers due refunds. The Defendant also agreed at the hearing to an injunction against making any further sales of cemetery monuments and requiring him to make a sworn report under penalty of perjury regarding current contracts. The Court has reserved ruling on the Plaintiff's requests in the Motion, including requests for civil penalties and injunctive relief.

This proceeding is in the public interest. KRS 367.190(3) provides that it is not necessary for the Attorney General to allege or prove that irreparable injury, loss or damage will

result if injunctive relief is denied or that an adequate remedy at law does not exist. CR 81A and KRS 454.190 exempt the Commonwealth from the requirement to give a bond.

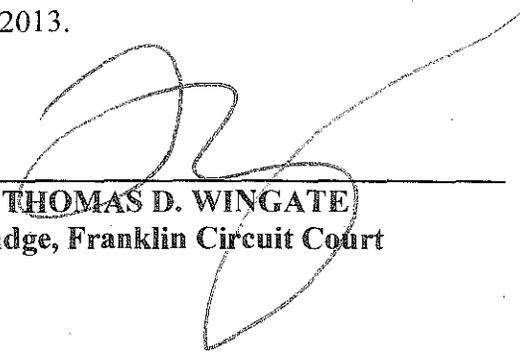
WHEREFORE, IT IS HEREBY ORDERED:

1. The Plaintiff's Motion to Enforce Consent Judgment and Grant Additional Injunctive Relief Against Defendant is hereby continued to November 27, 2013 at 9:00 a.m. for review.
2. The Defendant, Donald R. Curtis, is **TEMPORARILY ENJOINED:**
 - a. From making any sales of cemetery monuments personally or under the name of Resource Granite Sales; and
 - b. To file in this action a sworn report under penalty of perjury by no later than ten business days prior to the date of November 27, 2013, listing every customer with whom he had an outstanding contract as of the date of filing the sworn report, including their name, address, telephone number, the date of the contract, and the total amount paid by the person on the contract.

This temporary injunction becomes effective and binding on the Defendant when this Injunction and Order is entered, shall be reviewed at the hearing referenced in paragraph 1 above, and shall remain in force until modified or dissolved on motion or until a permanent injunction is granted or denied. No bond is required of the Plaintiff, pursuant to CR 81A and KRS 454.190.

3. The injunctions and other terms in the Consent Judgment shall continue to be binding on the Defendant according to their terms and remain in full force and effect, and are not hereby modified or dissolved.

SO ORDERED, this 22 day of July, 2013.



THOMAS D. WINGATE
Judge, Franklin Circuit Court

CERTIFICATE OF SERVICE

23 I hereby certify that a true and correct copy of the foregoing Order was mailed, this day of July, 2013, to the following:

Hon. Kevin R. Winstead, Asst. Attorney General
Office of the Attorney General
Office of Consumer Protection
1024 Capital Center Drive, #200
Frankfort, KY 40601

Hon. James E. Boyd
Jim Boyd Law Office
P.O. Box 290
Frankfort, KY 40602


Sally Jump, Franklin County Circuit Court Clerk