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FILED

JUL 22 2013

CLERK OF THE SUPERIOR COURT
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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SHASTA

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13 **PEOPLE OF THE STATE OF**
14 **CALIFORNIA, ex rel. Kamala D. Harris,**
15 **Attorney General of the State of California,**

16 Plaintiff,

17 v.

18 **DARREN PAUL ROSE, individually, and**
19 **doing business as BURNING ARROW I and**
20 **BURNING ARROW II, and Does 1 through**
21 **20,**

22 Defendants.

176689

Case No. 176689

ShB
[PROPOSED] ORDER GRANTING
PRELIMINARY INJUNCTION

Date: July 22, 2013
Time: 10:00 a.m.
Dept: 3
Judge: Honorable Stephen H. Baker
Trial Date: None set
Action Filed: February 14, 2013

23 The People's motion for preliminary injunction came on regularly for hearing before the
24 Court on July 22, 2013. Having considered the People's motion for a preliminary injunction and
25 all the factual materials and legal arguments presented by the parties and good cause appearing,
26 the Court hereby grants the People's motion.

1 Darren Rose individually and doing business as Burning Arrow I and Burning Arrow II
2 ("Defendant") is hereby preliminarily enjoined until the final disposition of this action or until
3 further order of the Court, from engaging in any of the following unlawful business practices:

4 A. Selling to non-members of any federally recognized Indian tribe of California
5 any cigarettes whose brand family and manufacturer are not listed on the California
6 Tobacco Directory, as required by California's tobacco directory law (Rev. & Tax.
7 Code, § 30165.1);

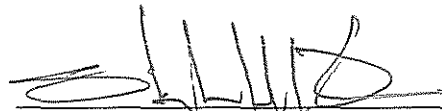
8 B. Selling to non-members of any federally recognized Indian tribe of
9 California, any cigarettes that do not comply with the California Cigarette Fire
10 Safety and Firefighter Protection Act (Health & Saf. Code, §§ 14950-14960) and

11 C. Selling to non-members of any federally recognized Indian tribe of California
12 any cigarette on which applicable state excise taxes have not been paid or collected
13 and remitted to the State of California.

14 Defendant and Defendant's directors, officers, employees, agents are hereby preliminarily
15 enjoined from engaging in any of the business practices listed above.

16 IT IS SO ORDERED:

17
18 Dated: July 22, 2013



The Honorable Stephen H. Baker

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20 APPROVED AS TO FORM:

21 **FREDERICKS PEEBLES & MORGAN LLP**
22 JOHN PEEBLES
23 MICHAEL A. ROBINSON

24
25 By: _____
26 Michael A. Robinson
27 Attorneys for Defendant Darren Rose
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