

1 **ARIZONA CORPORATION COMMISSION**
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8 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
9 **IN AND FOR THE COUNTY OF MARICOPA**

10 ARIZONA CORPORATION COMMISSION,)
11)
12 Plaintiff,)
13)
14 v.)
15)
16 H. JON KUNOWSKI, a single man; PRECISION)
17 MODEL AND DESIGN, INC., a former Arizona)
18 corporation; AIR LASE, INC., a former Arizona)
19 corporation; AMERICAN INNOVATIVE)
20 RESEARCH, INC., a former Arizona corporation;)
21 JOHN DOES I-V; JANE DOES I-V; WHITE)
22 CORPORATIONS I-V; BLACK)
23 PARTNERSHIPS I-V; and XYZ LIMITED)
24 LIABILITY COMPANIES I-V,)
25 Defendants.)
26)

No. CV 2004-010042

**TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE ON
APPLICATION FOR PRELIMINARY
INJUNCTION AND ORDER
RESTORING MONEY OR PROPERTY
TO INVESTORS**

Plaintiff, the Arizona Corporation Commission (“ACC”), having filed (1) a Verified Complaint; (2) an Application for Temporary Restraining Order Without Notice and Order To Show Cause On Preliminary Injunction and Order Restoring Money or Property to Investors, and Memorandum of Points and Authorities in support thereof, together with the exhibits attached thereto, including the Affidavits of Alan Walker, Glen Dishman, and Thomas A. Durkerley, and (3) Certification of Kathleen Coughenour DeLaRosa in Support of Application for Temporary Restraining Order Without Notice, submitted pursuant to Rule 65(d), Ariz. R. Civ. P., the Court finds:

1. The Court has jurisdiction over Defendants and the subject matter of this litigation.
2. The ACC has made a sufficient showing that neither written nor oral prior notice need be given to the Defendants because it is likely that immediate and irreparable injury, loss, or

1 damage will result to the applicant before the adverse party or that party's attorney can be heard in
2 opposition. Notice shall not be required before this Order is entered as Defendants may secret or
3 dissipate the property, including brokerage accounts and corporate assets, if given advance notice
4 of the ACC's intention of obtaining this Order.

5 3. Good cause exists to believe that Defendants have engaged in acts and practices that
6 constitute violations of A.R.S. §§ 44-1841, 44-1842, and 44-1991.

7 4. Good cause exists to believe that Defendants will continue to engage in the acts and
8 practices constituting the violations set forth in paragraph 3, including both registration violations
9 and securities fraud, with resulting loss by the investing public, unless restrained and enjoined by
10 an order of this Court.

11 5. Good cause exists to believe that Defendants used improper means to obtain
12 investor funds and assets.

13 IT IS THEREFORE ORDERED that Defendants, their officers, agents, servants,
14 employees, and attorneys, and those persons in active concert or participation with them who
15 receive actual notice of the order by personal service or otherwise, be and hereby are temporarily
16 restrained from directly or indirectly:

17 1. Selling or offering for sale within or from this state any securities in violation of the
18 Arizona Securities Act, particularly including A.R.S. §§ 44-1841, 44-1842, and 44-1991.

19 2. Transferring, secreting, dissipating, altering, selling, pledging, assigning,
20 encumbering, expending, concealing, conveying, liquidating, or otherwise disposing of any assets,
21 funds or property owned by the Defendants.

22 IT IS FURTHER ORDERED that the ACC shall forthwith file this Temporary Restraining
23 Order with the Clerk of the Court and serve copies of said Order on the Defendants and all others
24 whom the ACC has reason to believe may possess any of the records or property covered by this
25 Order or may be otherwise affected by this Order.

26 IT IS FURTHER ORDERED that each Defendant served with a copy of this Order shall

1 forthwith give actual notice of this Order to each of said Defendants' officers, directors, agents,
2 debtors, lessees, servants, trustees, attorneys, spouses, employees, real estate agents, accountants,
3 assigns, escrow officers, and bailees, and to each person in active concert or participation with that
4 Defendant.

5 IT IS FURTHER ORDERED that unless this Court rules otherwise, a show cause hearing
6 as to why a Preliminary Injunction shall not issue shall take place on the 2nd day of
7 June _____, 2004, at 10:00 a. m. in this Court before Hon. Rebecca Albrecht.

8 DONE IN OPEN COURT this 24th day of May _____, 2004 at 2:40 P.M.

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Kenneth L. Fields
Honorable _____
Judge of the Superior Court
For Hon. Rebecca Albrecht