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12 **DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**

15 CMKM DIAMONDS, INC.,
16
17 Plaintiff,

18 v.

19 URBAN CASAVANT; THE UAJC 2005
20 IRREVOCABLE TRUST; MIKE
21 WILLIAMS; DESHAWN L. WAYNE;
22 BRIAN DVORAK; JAMES KINNEY;
23 GINGER GUTIERREZ; P.A. HOLDINGS,
24 INC.; BUCKO LLC; DOES 1-20; and
25 ROES 1-20,
26
27 Defendants.

Case No.: A540161
Department: XIII

**AMENDED PRELIMINARY
INJUNCTION**

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 On June 11, 2007, plaintiff CMKM Diamonds, Inc.'s Motion for Preliminary
3 Injunction came on again for hearing in Department XIII of the above-referenced court.
4 Appearing on behalf of CMKM was David R. Koch. No appearances were made on behalf
5 of any of the defendants. Upon consideration of CMKM's motion and accompanying
6 declarations and exhibits and upon receiving and considering testimony from CMKM at the
7 previous hearing on May 30, 2007 and argument on June 11, 2007 regarding attempts at
8 serving the complaint and motions at issue in this action and regarding the likelihood of
9 notice having been provided to defendant Urban Casavant and other defendants in this
10 action, the Court rules as follows:

11 1. The motion for preliminary injunction is granted as to defendants Urban
12 Casavant, Brian Dvorak, P.A. Holdings, Michael Williams, Bucko, LLC, and the UAJC
13 2005 Irrevocable Trust there being no opposition to the motion, and it appearing to the
14 satisfaction of the Court that each of these defendants have received notice of the motion
15 and hearing on the motion. Accordingly, the Court orders as follows:

16 A. Based upon the evidence presented to the Court, which includes bank
17 statements, trading records, trust account records, and the deposition of Michael Williams,
18 among other documents, the Court concludes that CMKM has demonstrated a combination
19 of probable success on the merits of its claim for conversion of company funds along with
20 irreparable harm caused by the potential waste or disappearance of such funds.

21 B. The harm asserted by CMKM is irreparable in that absent an injunction,
22 CMKM will suffer injury, loss, or damage as assets and records that appear to belong to the
23 corporation may be wasted or transferred by the defendants, and the corporation may
24 become insolvent through the acts of defendants, and any eventual legal remedy may be
25 ineffective in the event that the assets at issue are not available for recovery.

26 C. Accordingly, the Court orders that:

27 i. Defendants named above and their officers, agents, servants,
28 employees, attorneys, and all persons acting in concert with them are enjoined for the

1 duration of this action from hiding, altering, or destroying any records belonging or relating
2 to CMKM Diamonds, Inc.

3 ii. Defendants named above and their officers, agents, servants,
4 employees, attorneys, and all persons acting in concert with them are enjoined during the
5 pendency of this action or until further order of this Court from selling, trading,
6 encumbering or transferring the following property:

7 a) The following real property:

8 1. 90 Innisbrook Avenue, Las Vegas, Nevada

9 2. 30 Princeville Lane, Las Vegas, Nevada

10 3. 7146 Mission Hills, Las Vegas, Nevada

11 4. Durango Trails, Bldg. T, Las Vegas, Nevada

12 b) Any funds or assets held in any bank, brokerage, or financial
13 account in the name of the UAJC 2005 Irrevocable Trust, including
14 the brokerage account held with Citigroup/Smith Barney, Acct. No.
15 647-33547-17 303 and the account held with West America
16 Securities Corporation, Account No. 67703437719648.

17 c) Any property or assets held by Four Vegas Properties, including
18 the proceeds of settlement from the case entitled *Philip Smith v.*
19 *Keith McAllister, et al.*, Clark County District Court.

20 d) The proceeds from the loan made to CSII in the amount of
21 \$2,250,000 or the stock that was purchased with these funds or any
22 derivative income stream from this investment.

23 e) The proceeds from the loan made to Crystallix in the amount of
24 \$3,000,000 or the stock that was purchased with these funds or any
25 derivative income stream from this investment.

26 f) The proceeds from the loan made to Mobile Wireless Security in
27 the amount of \$1,000,000 or the stock that was purchased with
28 these funds or any derivative income stream from this investment.

1 g) The funds repayable CMKM for loans made to Golden Arch
2 Resources in four separate checks totaling \$539,992.11 during
3 January of 2005.

4 3. A bond in the amount of \$10,000 has previously been posted by plaintiff as
5 security for the payment of such costs and damages as may be incurred or suffered by any
6 party who is found to have been wrongfully enjoined or restrained, and that bond shall
7 remain in place to secure the preliminary injunction.

8 4. The parties in this action are permitted to continue conducting third-party
9 discovery prior to the early case conference.

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11 Dated: June 19, 2007

12 By: MARK R. DENTON

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14 District Court Judge
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