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10 ATTORNEYS FOR PLAINTIFF

11 UNITED STATES DISTRICT COURT
12 FOR THE DISTRICT OF NEVADA

13 FEDERAL TRADE COMMISSION,

CV-S-97-

14 Plaintiff,

15 v.

16 WOOFTER INVESTMENT CORPORATION,
and PATSY M. BARBOUR a.k.a. PATSY
BARBOUR-WOOFTER,

17 Defendants.

18 **EX PARTE MOTION SEEKING TEMPORARY RESTRAINING ORDER,
19 ASSET FREEZE, APPOINTMENT OF RECEIVER, IMMEDIATE ACCESS,
20 EXPEDITED DISCOVERY, AND ORDER TO SHOW CAUSE WHY
21 PRELIMINARY INJUNCTION SHOULD NOT ISSUE**

22 Plaintiff, the Federal Trade Commission ("Commission"), having filed its complaint in this
23 matter for a permanent injunction and other equitable relief, including restitution for consumers
24 injured by defendants' unlawful practices, moves this Court for an *ex parte* Temporary Restraining
25 Order, an Asset Freeze, Immediate Access to Business Premises, Appointment of a Receiver,
26 Expedited Discovery, and an Order to Show Cause Why a Preliminary Injunction Should Not
Issue. A proposed order has been filed concurrently. This Court is authorized to grant such relief

1 by Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), and Fed.
2 R. Civ. P. 65(b).

3 In support of its motion, the Commission states that the defendants have engaged and
4 continue to engage in acts and practices that violate the Telemarketing and Consumer Fraud and
5 Abuse Prevention Act ("Telemarketing Act"), 15 U.S.C. § 6101 *et seq.*, and the Telemarketing
6 Sales Rule, 16 C.F.R. Part 310, and submits a Memorandum of Points and Authorities and
7 accompanying declaration with exhibits. As set forth in the Memorandum of Points and
8 Authorities, advance notice to defendants of this action may result in the dissipation or
9 concealment of assets and/or destruction of documents. Such actions would cause immediate and
10 irreparable damage by impeding the Court's ability to redress consumer injury. Issuing the
11 Temporary Restraining Order and other relief will preserve the possibility of full and effective
12 relief for consumers victimized by defendants' fraudulent investment scheme.

13 The Commission has concurrently filed a motion for an order to file all documents in this
14 matter under a temporary seal.

15 Respectfully submitted,

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18 _____
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20 NADINE S. SAMTER
21 Attorneys for Plaintiff
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