



Order Appointing a Receiver based upon the allegations in Plaintiff's Original Verified Petition and Application for Ex Parte Temporary Restraining Order, Temporary and Permanent Injunctions, The Disgorgement of Economic Benefits, Restitution, Receivership, and Other Equitable Relief.

It appears to the Court that this is an action by the State of Texas through its Attorney General, Gregg Abbott, under the authority granted by the constitution and the laws of the State of Texas, and at the request of the Deputy Securities Commissioner of Texas, John Morgan. It appears that this Court has jurisdiction over all parties and subject matter. The Court, after considering Plaintiff's Verified Original Petition and exhibits thereto, is of the opinion and so finds a sufficient showing has been made that there exists a present and urgent necessity for immediate entry of an order restraining the Defendants, their officers, directors, employees, agents, and representatives from violating the Securities Act of Texas, TEX. REV. CIV. STAT. Art. 581-1 *et. seq.*, in connection with the sale and offer for sale of securities. Further, the Court is of the opinion that Defendants, their officers, directors, agents, employees, and representatives should be restrained from wasting, withdrawing, concealing, or disposing of any books, records, or assets relating to Defendants' business operations, including those of selling securities and offering securities for sale.

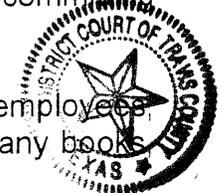
It appears to the Court it is necessary to appoint a receiver to take sole control and possession of, and to manage the company, money, property, and assets of Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies, and all money, property, and assets of Defendants containing or derived from proceeds of Defendants' sale of securities or used in furtherance thereof.

### FINDINGS

In support of its determination, the Court finds the State of Texas is likely to prevail on its claims that Defendants are in violation of the Securities Act by selling unregistered securities to the public, selling securities through unregistered securities dealers, salesmen, and agents, and committing fraud and fraudulent practices in connection with the sale of securities, and unless temporarily restrained, the Defendants will continue to commit violations of the laws of the State of Texas, all contrary to the best interests of the general public and the State of Texas.

The Court further finds that immediate and irreparable injury, loss, and damage will result to the present investors and future investors who have purchased and will purchase securities from Defendants, and to the general public, unless Defendants are restrained from promoting, issuing, selling, offering for sale, negotiating for sale, advertising, soliciting, dealing in or distributing any security or securities without complying with the registration provisions of the Securities Act, and from committing fraud in the sale and offer for sale of securities.

The Court further finds that Defendants, their officers, agents, servants, employees, and attorneys should be enjoined from wasting, concealing or disposing of any books



records, property, or assets of Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies, and property or assets of Defendants containing or derived from proceeds of Defendants' sale of securities or used in furtherance thereof.

The Court further finds that the State of Texas is likely to prevail on its claims that Defendants have acted as a dealer, salesman, or issuer, or as an affiliate of a dealer, salesman, or issuer, and Defendants have engaged in acts, transactions, practices, or courses of business declared to be fraudulent practices by Section 32 of the Securities Act. The Court further finds the State of Texas is likely to prevail on its claims Defendants have acted as dealer, salesman, or issuer or an affiliate of a dealer, salesman, or issuer in connection with such fraudulent practices. The Court further finds the State of Texas is likely to prevail on its claims the appointment of a receiver is necessary in order to conserve and protect the assets of such person or company for the benefit of customers, security holders, and other actual and potential claimants of such person or company. The Court finds it may appoint a receiver pursuant to Section 25-1 of the Texas Securities Act.

Furthermore, the Court finds it is necessary to appoint a receiver to prevent the wasting of assets derived from Defendants' illegal activities, to make restitution pursuant to an order to be approved by the Court, and to preserve the status quo. A receiver is needed to conserve and manage the property and assets of and to conduct the affairs of Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies and all money, property, and assets of Defendants containing or derived from proceeds of Defendants' sale of securities or used in furtherance thereof, for the benefit of the investors should restitution be granted in this case under Section 32 of the Texas Securities Act. Unless a receiver is appointed, the property and assets of Defendants will be dissipated, wasted, and secreted to the irreparable and immediate injury to the investors.

The Court finds the risk Defendants will move their operation, hide their records, and/or transfer the money in their bank accounts if given notice of this action constitutes good cause for the Court to issue this Temporary Restraining Order and Order Appointing Receiver without notice to the Defendants.

### TEMPORARY RESTRAINING ORDER

It is therefore ORDERED, ADJUDGED and DECREED by this Court that the Clerk of this Court shall issue a TEMPORARY RESTRAINING ORDER against Defendants without notice enjoining **Warr Investment Group, LLC**, a Texas Domestic Limited Liability Company, **Warr International Group, LLC**, a Texas Domestic Limited Liability Company, **James Elton "Jim" Warr**, and **Mark Cuba** and also enjoining their officers, directors, principals, partners, joint venturers, managers, employees, salesmen, family members, attorneys, representatives, and others acting in concert with them who receive actual notice of the Court's order by personal service, facsimile transmission, or otherwise, from engaging in the following acts:



1. **Dissipation of assets.** Disposing of, transferring, selling, assigning, negotiating, expending, encumbering, partitioning, canceling, concealing, secreting, disguising, hypothecating or removing money, assets, notes, equipment, fixtures, receivables, expectancies, funds or other property or objects of value, whether real, personal, or mixed and whether tangible or intangible, wherever situated, belonging to, owned by, in the possession of, acquired by, or claimed by Defendants, their affiliated companies, or their officers, directors, principals, partners, and attorneys, and others acting in concert with or in behalf of said entities where such property results from or is derived from the business or operations of Defendants;
2. **Destruction or removal of books and records.** Disposing of, transferring, selling, assigning, canceling, concealing, destroying, hiding, moving, secreting, disguising, or hypothecating the books, records, ledgers, journals, invoices, contracts, notes, leases, investor lists, investor files, investor subscription agreements, tax forms or advice, receipts, computer files, electronic information of any kind, materials, or any other documents or tangible items relating in any way to Defendants and their affiliated companies, or relating in any manner whatsoever to the services or contracts relating to the business or operations of the Defendants, which are now or which may come within or under the possession, custody, or control of the Defendants, their affiliated companies, and their agents, servants, officers, directors, principals, partners, joint venturers, successors, shareholders, employees, salesmen, representatives, attorneys, or any other entity acting in concert with or on behalf of Defendants;
3. **Selling securities.** Promoting, issuing, selling, offering for sale, negotiating for sale, advertising, soliciting, dealing in or distributing any securities, including investment contracts, in any way and by any manner or means, either directly or indirectly through agents, servants, officers, directors, shareholders, employees, representatives, or any other entity acting for them or on their behalf without complying with the securities registration requirements found in the Texas Securities Act;
4. **Acting as an agent, dealer, or salesman.** Promoting, issuing, selling, offering for sale, negotiating for sale, advertising, soliciting, holding seminars, dealing in or distributing any securities, including investment contracts, to investors in any way and by any manner or means, either directly or indirectly through agents, servants, officers, directors, shareholders, employees, representatives, or any other entity acting for them or on their behalf, without complying with all dealer and salesman registration requirements of the Texas Securities Act;
5. **Engaging in fraud.** Engaging in any fraud or fraudulent practice in connection with the offer for sale or sale of securities, in violation of the Texas Securities Act or other laws of Texas, including any misrepresentation of fact or omission of material facts;



6. **Interfering with investigation.** Obstructing, hampering, seeking to delay, or interfering in any manner with any investigation of Defendants' sale of securities, including notes, evidences of indebtedness, investment contracts, conducted pursuant to the lawful authority of the Texas State Securities Board, the Office of the Attorney General, the Receiver, or any other law enforcement or governmental authority;
7. **Communicating with Investors, Customers, and related Business Entities.** Contacting, via telephone, electronic mail or other written correspondence, or otherwise communicating, in any way, directly or indirectly, themselves or through their agents or representatives, with investors or customers of Warr Investment Group, LLC, and Warr International Group, LLC, or with related business entities, including but not limited to the Trustee for Relief Defendants Trusts or managers, owners, or controllers of Relief Defendant Texas Note Company without prior written approval from the Receiver appointed herein;
8. **Interfering with operation of trusts.** Interfering in any manner with or taking any action as trustee over any trust related in any way to Warr Investment Group, LLC, and Warr International Group, LLC, or related in any way to any securities issued, offered or sold by Defendants, without the express written consent of the Receiver; and
9. **Interfering with the Receiver or the Receivership Estate.** Interfering with, obstructing, or hampering the Receiver appointed under this Order, including accessing or using any web site, telephone, voice mail, or electronic mail account owned or used by Defendant Warr Investment Group, LLC, and Warr International Group, LLC.

#### **ORDER APPOINTING RECEIVER**

It is ORDERED, ADJUDGED, and DECREED by this Court that **Gregory S. Milligan**, a duly qualified person, is authorized to serve as Temporary Receiver for the company, assets, monies, securities, claims in action, and properties, real and personal, tangible and intangible, of whatever kind and description, wherever situated (within or without the State of Texas) of Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies, and for assets, monies, securities, claims in action, and properties, real and personal, tangible and intangible, of whatever kind and description, wherever situated, of James Elton "Jim" Warr or Mark Cuba as appears to the Receiver to contain or be derived from proceeds of Defendants' sale of securities or used in furtherance thereof (collectively, the "Receivership Assets").

The primary obligations of the receiver, which will guide him in using his discretion, are:

1. To collect, preserve and maintain the Receivership Assets;



2. To notify investor-victims of these proceedings;
3. To discover who has sent money to Defendants, in what amounts, when, and under what terms;
4. To effect fair restitution if possible, from assets under control of the Receiver, according to a plan to be approved by the Court after a diligent investigation has been made into the identity of investor-victims, the amounts they paid to Defendants, any amounts already paid by Defendants to the investor-victims, and the circumstances under which their dealings with Defendants arose;
5. To assist the State Securities Board and the Attorney General in their investigation of Defendants' violations of the Securities Act to the extent not inconsistent with the other terms of this order; and
6. To keep receivership expenses as low as possible consistent with an accurate and efficient administration of the receivership estate.

**Gregory S. Milligan is thus HEREBY APPOINTED Receiver** of the records, property, assets, and affairs of Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies, and for all money, property, and assets of Defendants Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies, James Elton "Jim" Warr, and Mark Cuba as appears to the Receiver to contain or be derived from proceeds of Defendants' sale of securities or used in furtherance thereof. Except for an act of willful malfeasance or gross negligence, the Receiver shall not be liable for any loss or damage incurred by the Receivership Estate, or any of Defendants, the Defendants' clients, investors or associates, or their subsidiaries or affiliates, their officers, directors, agents, managers and employees, or by any of Defendants' creditors or equity holders because of any act performed or not performed by him or his agents or assigns in connection with the discharge of his duties and responsibilities hereunder. **Mr. Milligan** is DIRECTED AND EMPOWERED as Receiver to exercise the following powers in his sole discretion, in pursuit of the obligations set out above:

1. To take possession of and control, to the extent another law enforcement entity has not done so by court order, over all property, records, and assets of whatever nature and wherever located (within and without the State of Texas) as appears to the Receiver, in his sole discretion, to be derived from Defendants' fraudulent operations or used in furtherance thereof, whether directly or indirectly; belonging to, claimed by, or controlled by Defendants, including, but not limited to monies deposited by or on behalf of Defendants, in any capacity, including "trustee," with any bank, savings and loan, credit union, securities dealer, clearing agent, or other depository; and interest in real estate owned or controlled by Defendants in any capacity; any stock owned by Defendants, and the voting and other rights attaching thereto; any accounts receivable owed to



Defendants, and any interest or other return earned upon any of the foregoing, specifically including BUT NOT LIMITED TO the following accounts and assets: Accounts maintained at Chase Bank USA, N.A., and IronStone Bank, identified as the following:

<u>JP Morgan Chase Acct No.</u>	<u>Name on Account</u>	<u>Signatories</u>
861144350	Texas Financial Solutions / Warr Operating Account	James E Warr & Jessica S Zeifman
870811643	Warr Investment Group LLC	James E Warr & Erick M Frank
917072548	Warr Investment Group LLC	James E Warr & Erick M Frank
861145126	James E War DBA Elton James Trust Company	James E Warr & Julie M Murray
889340410	James E War DBA PCFN Trust	James E Warr & Julie M Murray
839720935	James E Warr	James E Warr & Vickie Warr
917072712	Warr Investment Group LLC	James E Warr & Erick M Frank
917072720	Warr Investment Group LLC	James E Warr & Erick M Frank
2930390626	TFSBJW LLC DBA Texas Financial Solutions	James E Warr & Jessica S Zeifman
2919745709	James E Warr DBA IBIZ Capital Group Escrow	James E Warr
834449522	James E Warr DBA IBIZ Capital Group Escrow	James E Warr & Julie M Murray
889340287	Elton James LLC	Julie M Murray
<u>IronStone Bank Acct No.</u>	<u>Name on Account</u>	<u>Signatories</u>
9160109225	Warr Investment Group LLC	James E Warr; Erick M Frank; Jessica S Thompson
9160096655	Elton James LLC	Julie M Murray
9160108951	Warr Investment Group LLC Escrow Account	James E Warr; Erick M Frank; Jessica S Thompson
9160109209	Warr International Group LLC Escrow Account	James E Warr; Erick M Frank; Mandy Hanks
9160109217	Warr International Group LLC	James E Warr; Erick M Frank; Mandy Hanks

- To take possession and full legal control of all books, records, computers, computer disks and materials relating to Defendants' fraudulent operations and all money, property and assets of Defendants which appear to the Receiver in his sole discretion to contain or be derived from proceeds of Defendants' sale of securities or used in furtherance thereof, including computers, financial and other records, books of accounts, checks, accounts receivable, passbooks, account numbers, and access codes for the accounts of Defendants described in paragraph 1 above, wherever and by whomever these records or accounts may be held;
- To enter, occupy and take full legal control of the premises where Defendants' fraudulent business operations occur, including but not limited to 11149 Research Blvd, Suite 320, Austin, Texas 78759, including changing locks and security codes; terminating any lease if he determines it is in the best interest



the receivership estate; and removing assets, property, materials and records, whether written or stored in computers, and including said computers, from the premises located at 11149 Research Blvd, Suite 320, Austin, Texas 78759;

4. To conduct, manage, and take charge of all business affairs of, and on behalf of Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies, including making such ordinary and necessary payments, distributions, and disbursements as he deems advisable or proper for the marshaling, maintenance, or preservation of the Receivership Assets;
5. To receive, collect, and open all mail directed to or delivered to any address or post office box used by Defendants, including but not limited to, 11149 Research Blvd, Suite 320, Austin, Texas 78759, and to direct the post office and commercial delivery services to forward all such mail and deliveries to the Receiver's office;
6. To sign checks or other instruments withdrawing, depositing or transferring funds with respect to any account listed in paragraph 1 under this subsection of this order or otherwise identified by the Receiver as property of the receivership estate;
7. To negotiate, transfer, or redeem any certificate, contract, instrument or security held by or in the name of Defendants;
8. To dismiss employees, contractors, consultants, attorneys, agents or assistants of Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies, or to change the terms of employment or engagement with any of them, or to hire employees, contractors, consultants, accountants, attorneys, legal assistants, or other assistants under terms to be determined by the Receiver, whose services, in the sole discretion of the Receiver, are necessary for an efficient and accurate administration of the receivership estate;
9. To recover by taking full legal control and ownership of assets or property acquired with funds derived from or obtained through Defendants' investment scheme, whether directly or indirectly, including any assets located offshore;
10. To file any lawsuits the Receiver deems necessary to carry out his duties herein;
11. To file, prosecute, or defend any suit or suits by or against Defendants which may be deemed necessary, in the sole discretion of the Receiver, to further the obligations of the Receiver as set out above, but not to serve as an arbiter of claims by creditors of Defendants, or other claimants who are not investor-victims, as determined in the sole discretion of the Receiver;



12. To dispose, for the benefit of investor-victims, of real and personal property of Defendants, if that property is determined by the Receiver to have been obtained or derived from the unlawful sale of securities;
13. To close and open accounts and transfer money from one institution to another, or one account to another, as necessary in the Receiver's sole discretion, and under terms the Receiver considers appropriate, for orderly administration and restitution;
14. To enter into contracts as necessary for the orderly administration of the receivership estate and to pay reasonable and necessary expenses incurred in connection with the foregoing duties out of the receivership estate;
15. To advance his own funds, if necessary in his sole discretion, to pay any expense incurred in carrying out his responsibilities under the Court's orders and to reimburse himself immediately for any funds advanced;
16. To delegate to agents the authority to exercise any of the powers conferred on the Receiver by this order;
17. To exercise all equitable powers under the statutes and common law of this State authorizing the appointment of a Receiver, and;
18. To engage attorneys, accountants, or other professionals to perform duties on behalf of the receivership estate.

It is further ORDERED that before entering or proceeding as Receiver, **Gregory S. Milligan**, shall take an oath as required by law and execute a bond as good as sufficient surety in the sum of \$100.00 to be approved by the Clerk of this Court and conditioned upon faithful discharge by the Receiver of his duties and obedience to the orders of the Court, and that this appointment will take effect upon the final making of such oath and upon approval of the bond, at which time the Receiver shall be fully qualified and empowered to take charge of the assets and business affairs of Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies, and of all money, property, and assets of Defendants James Elton "Jim" Warr and Mark Cuba that appears to the Receiver to contain or be derived from proceeds of Defendants' sale of securities or used in furtherance thereof, in the manner provided above, and to function as a receiver herein.

It is further Ordered that the Receiver shall be paid for his services from the funds held by him, and that the Receiver shall charge his reasonable and customary rate of \$275.00 per hour, plus reasonable expenses, and submit to the Court and all parties of record his request for payment. If no objections are filed with the Court within ten days of the filing of the request, then the Receiver shall pay himself the amount of the request, from funds he holds in receivership estate. If an objection is filed within ten days, the Receiver shall not pay himself until a hearing has been had on the objection.



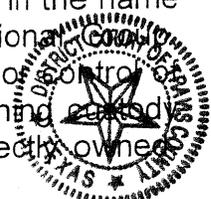
and a ruling has been issued. In that case, the Receiver will pay himself in accordance with the ruling. Any professionals employed by the Receiver shall be paid in accordance with the procedures established by this paragraph.

**ORDER TO RELIEF DEFENDANTS AND FINANCIAL INSTITUTIONS**

It is further ORDERED that the State of Texas shall notify the following financial institutions, depositories, or recipients of investor funds of the entry of this Temporary Restraining Order and Order Appointing Receiver, in that accounts identified herein contain the proceeds from the unlawful and fraudulent scheme described herein: Accounts maintained at Chase Bank USA, N.A., and IronStone Bank, identified as the following:

<b><u>JP Morgan Chase Acct No.</u></b>	<b><u>Name on Account</u></b>	<b><u>Signatories</u></b>
861144350	Texas Financial Solutions / Warr Operating Account	James E Warr & Jessica S Zeifman
870811643	Warr Investment Group LLC	James E Warr & Erick M Frank
917072548	Warr Investment Group LLC	James E Warr & Erick M Frank
861145126	James E War DBA Elton James Trust Company	James E Warr & Julie M Murray
889340410	James E War DBA PCFN Trust	James E Warr & Julie M Murray
839720935	James E Warr	James E Warr & Vickie Warr
917072712	Warr Investment Group LLC	James E Warr & Erick M Frank
917072720	Warr Investment Group LLC	James E Warr & Erick M Frank
2930390626	TFSBJW LLC DBA Texas Financial Solutions	James E Warr & Jessica S Zeifman
2919745709	James E Warr DBA IBIZ Capital Group Escrow	James E Warr
834449522	James E Warr DBA IBIZ Capital Group Escrow	James E Warr & Julie M Murray
889340287	Elton James LLC	Julie M Murray
<b><u>IronStone Bank Acct No.</u></b>	<b><u>Name on Account</u></b>	<b><u>Signatories</u></b>
9160109225	Warr Investment Group LLC	James E Warr; Erick M Frank; Jessica S Thompson
9160096655	Elton James LLC	Julie M Murray
9160108951	Warr Investment Group LLC Escrow Account	James E Warr; Erick M Frank; Jessica S Thompson
9160109209	Warr International Group LLC Escrow Account	James E Warr; Erick M Frank; Mandy Hanks
9160109217	Warr International Group LLC	James E Warr; Erick M Frank; Mandy Hanks

The Court hereby ORDERS that any financial or brokerage institution, escrow agent, title company, storage facility, commodity trading company, depository, recipient, business entity or person, whether or not named herein, (1) holding money in the name and/or for the benefit of Warr Investment Group, LLC and Warr International Group, LLC, James Elton "Jim" Warr, and/or Mark Cuba; (2) maintaining custody or control of any account or other asset derived from Defendants' fraud, or (3) maintaining custody or control of any corporation, partnership, or other entity directly or indirectly owned



managed, controlled by, or under common control with any of the Defendants; and which, received actual notice of this Order by personal service, facsimile, or otherwise, shall:

1. ~~Hold and retain within its~~ control and prohibit the withdrawal, removal, assignment, transfer, pledge, hypothecation, encumbrance, disbursement, dissipation, conversion, sale, or other disposal of any assets, funds, or other property of Defendants, under the control of Defendants, or on behalf of Defendants, in whole or in part, except in accordance with the Receiver's written instructions or any further order of the Court;
2. Deny, to anyone other than the Receiver or his authorized agent, access to any safe deposit boxes or storage facilities that are either titled in the name, individually or jointly, of Defendants, or are otherwise subject to access by any of them;
3. Within fifteen (15) business days of the date of service of this Order, deliver to the Receiver appointed herein, **Gregory S. Milligan**, or his designated agents, by facsimile at **(512) 532-0990**, and the account holder a certified statement setting forth:
  - A. The identification of each account or asset titled in the name, individually or jointly, of Defendants, held on behalf of Defendants, or for the benefit of Defendants;
  - B. The balance of each such account, or a description and appraisal of the value of such asset, by closing time of the business day when notice of this Order was served; and if the account is closed or the asset has been removed, identify the date closed or removed, the total funds removed in order to close the account, and the name of the person or entity to whom such account or asset was remitted;
  - C. The identification of any safe deposit box or storage facility that is either titled in the name individually or jointly of Defendants or otherwise subject to access or control by any of the Defendants; and
  - D. Allow the Receiver appointed herein immediate access to inspect and copy any records or other documentation pertaining to such account or asset, including but not limited to originals or copies of account applications, account statements, signature cards, checks, drafts, deposit tickets, transfers to and from the accounts, all other debit and credit instruments or slips, currency transaction reports, 1099 forms, and safe deposit box logs. Any such financial institution, account custodian, or other aforementioned entity may arrange for the Receiver to obtain copies of any such records which the Receiver seeks, provided that such



institution or custodian may charge a reasonable fee for such copies, which fee shall be paid from the receivership estate.

4. Within 24 hours of receiving this Order, deliver to the Receiver or his designated agents, by facsimile at **(512) 532-0990**, a list of all transactions in the accounts, for the preceding two months, including but not limited to withdrawals, wire transfers, deposits, or other charges and offsets.

The Court hereby ORDERS that **Relief Defendants 1501 and 1505 Main Street, Orange, Texas 77630 Trust, 1205 Link Avenue, Orange, Texas 77630 Trust, 4218 5<sup>TH</sup> Street, Abilene, Texas 79605 Trust, 1006 E. Timberview Lane, Arlington, Texas 76014 Trust, 980 Vivian Street, Bridge City, Texas 77611 Trust, 592 N. Lydia Street, Stephenville, Texas 76401 Trust, 3725 Yellowstone Street, Irving, Texas 75235 Trust, 608 W. 8<sup>TH</sup> Street, Dallas, Texas 75208 Trust, 4854 Loma Loop, Sierra Vista, Arizona 85635 Trust, and 16 Jay Circle, Cabot, Arkansas 72023 Trust** are hereby **ENJOINED** from transferring, dissipating, harming, or performing any action relating to the corpus of the trust or its beneficiaries without the express written consent of the Receiver or an order of the Court.

The Court further ORDERS that **any manner of third-party note-servicing operation, including by not limited to Relief Defendant Texas Note Company, LLC**, is hereby **ENJOINED** from transferring, dissipating, harming, or performing any action relating to the notes purchased by Warr Investment, the Relief Defendant Trusts, or their beneficiaries without the express written consent of the Receiver or an order of the Court.

### MANDATORY TURN-OVER ORDER

**TO: WARR INVESTMENT GROUP, LLC, A TEXAS DOMESTIC LIMITED LIABILITY COMPANY  
WARR INTERNATIONAL GROUP, LLC, A TEXAS DOMESTIC LIMITED LIABILITY COMPANY  
JAMES ELTON "JIM" WARR  
MARK CUBA**

YOU AND EACH OF YOU ARE ORDERED TO PERFORM THE FOLLOWING ACTS:

1. Immediately place in the possession of the Receiver appointed herein, **Gregory S. Milligan**, or one or more of his designated agents for the purpose of this turnover, all of the books, records, documents and other records, whether written, graphic, photographed, magnetically recorded, electronically recorded, generated by computer, or stored in a computer or other device, including said computer or other device, pertaining to Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies, along with any and all passwords, codes, keys, combinations, etc necessary to access the same;



2. Immediately place in the possession of the Receiver appointed herein, **Gregory S. Milligan**, or one or more of his designated agents for the purpose of this turnover, all cash, checks, money orders, notes receivables, or the like, of or pertaining to Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies;
3. Immediately place all assets derived from the operation of Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies, in the possession of the Receiver appointed in this Order, **Gregory S. Milligan**, or one or more of his designated agents for the purpose of this turnover, except for assets in the possession of third parties, of which you are to immediately report the exact location and name of the custodian of the assets to the Receiver or his designated agents;
4. Repatriate to an account under the control of the Receiver any funds, documents, and assets located outside the State of Texas, held either by any Defendant or his agents, for any Defendant's benefit, or held under any Defendant's direct or indirect control, individually or jointly, and immediately notify the Receiver of the institution and account in which any repatriated funds are located;
5. Provide to the Receiver a list of all investors in investment programs offered and sold by Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies, including addresses and phone numbers;
6. Upon request of the Receiver or his designated agents, provide the Receiver with a full accounting of all funds, documents and assets outside the State of Texas held either by Defendants; for Defendants' benefit; or under Defendants' direct or indirect control, individually or jointly;
7. Prevent any transfer, disposition, or dissipation whatsoever of any documents, assets or funds controlled by the defendants, either directly or indirectly;
8. Provide the Receiver or his designated agents access to Defendants' records and documents held by financial institutions outside the State of Texas; and
9. Comply with requests of the Receiver or his designated agents for information, including but not limited to in-person meetings, regarding Defendants' assets, liabilities, past conduct or any other matter relevant to these proceedings, in the sole judgement of the Receiver, such that the Receiver may timely, competently, and efficiently discharge all of his duties and responsibilities hereunder.

**DIRECTION TO UNITED STATES POSTAL SERVICE**

**TO: ALL POSTMASTERS AND OTHER OFFICERS OR EMPLOYEES OF  
THE UNITED STATES POSTAL SERVICE**



YOU AND EACH OF YOU are hereby DIRECTED to cooperate with the Receiver appointed herein, **Gregory S. Milligan** or his designated agents, in connection with the delivery and forwarding of any and all mail addressed to Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies, in order to effectuate the terms and purposes of this Order.

**DIRECTION TO LANDLORDS AND LEASING AGENTS**

**TO: LANDLORDS AND LEASING AGENTS OF PREMISES LEASED OR OCCUPIED BY Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies**

YOU AND EACH OF YOU are hereby DIRECTED to allow access to the Receiver appointed herein, Gregory S. Milligan, or one or more of his designated agents for the purpose of this order, to the premises owned, leased, rented, sublet, occupied etc. by Warr Investment Group, LLC and Warr International Group, LLC, Texas Limited Liability Companies.

YOU AND EACH OF YOU are hereby DIRECTED to deliver to the Receiver appointed herein, **Gregory S. Milligan**, or one or more of his designated agents for the purpose of this order, the following: all mail, parcels, or other deliveries addressed to Warr Investment Group, LLC and Warr International Group, LLC, Texas Domestic Limited Liability Companies, at 11149 Research Blvd, Suite 320, Austin, Texas 78759.

**ORDER AUTHORIZING SERVICE PURSUANT TO RULE 103**

The Court hereby authorizes any person not less than eighteen years of age, who is not a party to or interested in the outcome of this suit, to serve citation and writ of injunction on any Defendant named herein.

**OTHER ORDERS**

It is ORDERED that this Court shall have exclusive jurisdiction over all claims and causes of action against Defendants arising from or related to the operation of Warr Investment Group, LLC and Warr International Group, LLC, or Defendants' sale or offer for sale of securities.

It is further ORDERED that no bond is required of the State of Texas and this Temporary Restraining Order and Order Appointing Receiver shall issue and be effective immediately.

It is further ORDERED that this Temporary Restraining Order here and now granted shall continue in effect by Order of this Court until the hearing on the Temporary Injunction.



It is further ORDERED that Plaintiff's Application for a Temporary Injunction and continuation of the appointment of Receiver is set for hearing on the 21<sup>st</sup> day of January, 2011 at 9 o'clock A.M.

All of the foregoing is subject to further Orders of this Court.

9:45 SIGNED at Austin, Travis County, Texas this the 7<sup>th</sup> day of January, 2011 at 9 o'clock a.M.

5/4/11  
\_\_\_\_\_  
JUDGE PRESIDING

I, AMALIA RODRIGUEZ-MENDOZA, District Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on

January 7, 2011  
AMALIA RODRIGUEZ-MENDOZA

DISTRICT CLERK

By Deputy:

Alexandra Rodriguez Mendosa



NO. D-1-BV-11-000006

State of Texas

IN THE DISTRICT COURT

v.

353<sup>rd</sup> JUDICIAL DISTRICT

Water Investment Group LLC, et al

TRAVIS COUNTY, TEXAS District Court  
of Travis County, Texas

CERTIFICATION PURSUANT TO LOCAL RULE 7.3

JAN - 6 2011 AMC

At 10:35A M.  
Amalia Rodriguez-Mendoza, Clerk

The undersigned certifies that:

To the best of my knowledge, the party against whom relief is sought is not represented by counsel in the matter made the basis of this suit in which the *ex parte* relief is sought.

OR

Opposing counsel has been notified of the application and does not wish to be heard by the Court on the request for *ex parte* relief.

OR

Counsel presenting the application has diligently attempted to notify such counsel by

\_\_\_\_\_  
\_\_\_\_\_  
and has been unable to do so and the circumstances do not permit additional efforts to give notice because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNED on 1/7/11

[Signature]  
SIGNATURE

Joshua Galbey  
PRINTED NAME

State of Texas  
PARTY REPRESENTED

I, AMALIA RODRIGUEZ-MENDOZA, District Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on January 7, 2011



AMALIA RODRIGUEZ-MENDOZA

DISTRICT CLERK

By Deputy:

[Signature]

