

1 JOHN M. McCOY III, Cal. Bar No. 166244  
 E-mail: mccoymj@sec.gov  
 2 ALKA N. PATEL, Cal. Bar No. 175505  
 E-mail: patelal@sec.gov  
 3 SPENCER BENDELL, Cal Bar No. 181220  
 E-mail: bendells@sec.gov  
 4 MEGAN M. BERGSTROM, Cal. Bar No. 228289  
 E-mail: bergstromm@sec.gov

5 Securities and Exchange Commission  
 6 Rosalind R. Tyson, Regional Director  
 Michele Wein Layne, Associate Regional Director  
 7 5670 Wilshire Boulevard, 11th Floor  
 Los Angeles, California 90036  
 8 Telephone: (323) 965-3998  
 Facsimile: (323) 965-3908  
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10 **UNITED STATES DISTRICT COURT**  
 11 **CENTRAL DISTRICT OF CALIFORNIA**  
 12 **SOUTHERN DIVISION**

13 SECURITIES AND EXCHANGE  
 14 COMMISSION,

15 Plaintiff,

16 vs.

17 EAGLE DEVELOPMENT  
 ENTERPRISES, INC., a Nevada  
 18 corporation; EAGLE STORAGE &  
 DEVELOPMENT, LLC, an Arizona limited  
 19 liability company; EAGLE AVIATION  
 SALES & LEASING, LLC, a California  
 20 limited liability company; MICHAEL J.  
 BOWEN,

21 Defendants,

22 EAGLE ASSETS & MANAGEMENT,  
 LLC, a California limited liability company;  
 23 EAGLE HOUSING & DEVELOPMENT  
 AZ, LLC, an Arizona limited liability  
 24 company; EAGLE HOUSING &  
 DEVELOPMENT, INC., a California  
 25 corporation; EAGLE HELICOPTERS &  
 AVIATION, INC., a California  
 26 Corporation,

27 Relief Defendants.  
 28

Case No. SACV09-1470 JVS (MLGX)

**ORDER GRANTING  
 PRELIMINARY INJUNCTION AS  
 TO DEFENDANTS MICHAEL J.  
 BOWEN, EAGLE DEVELOPMENT  
 ENTERPRISES, INC., EAGLE  
 AVIATION SALES & LEASING,  
 LLC AND RELIEF DEFENDANTS  
 EAGLE ASSETS &  
 MANAGEMENT, LLC, EAGLE  
 HOUSING & DEVELOPMENT AZ,  
 LLC, EAGLE HOUSING &  
 DEVELOPMENT, INC., AND  
 EAGLE HELICOPTERS &  
 AVIATION, INC. AND ORDERS: (1)  
 FREEZING ASSETS; (2)  
 REQUIRING ACCOUNTINGS; AND  
 (3) PROHIBITING THE  
 DESTRUCTION OF DOCUMENTS**



1 communication in interstate commerce or of the mails, to sell, to offer to sell, or to  
2 offer to buy any security, or carrying or causing securities to be carried through the  
3 mails or in interstate commerce, by any means or instruments of transportation, for  
4 the purpose of sale or delivery after sale, in violation of Sections 5(a) and 5(c) of  
5 the Securities Act, 15 U.S.C. §§ 77(e)(a) and 77(e)(c).

6 **III.**

7 IT IS FURTHER ORDERED that Defendants Bowen, Eagle Development,  
8 Eagle Aviation, and their agents, servants, employees, attorneys, subsidiaries and  
9 affiliates, and those persons in active concert or participation with any of them,  
10 who receive actual notice of this Order, by personal service or otherwise, and each  
11 of them, be and hereby are preliminarily restrained and enjoined from, directly or  
12 indirectly, in the offer or sale of any securities, by the use of any means or  
13 instruments of transportation or communication in interstate commerce or by use  
14 of the mails:

- 15 A. employing any device, scheme or artifice to defraud;
- 16 B. obtaining money or property by means of any untrue statement of a  
17 material fact or any omission to state a material fact necessary in order  
18 to make the statements made, in light of the circumstances under  
19 which they were made, not misleading; or
- 20 C. engaging in any transaction, practice, or course of business which  
21 operates or would operate as a fraud or deceit upon the purchaser  
22 in violation of Section 17(a) of the Securities Act, 15 U.S.C. § 77q(a).

23 **IV.**

24 IT IS FURTHER ORDERED that Defendants Bowen, Eagle Development,  
25 Eagle Aviation, and their agents, servants, employees, attorneys, subsidiaries and  
26 affiliates, and those persons in active concert or participation with any of them who  
27 receive actual notice of this Order, by personal service or otherwise, and each of  
28 them, be and hereby are preliminarily restrained and enjoined from, directly or

1 indirectly, in connection with the purchase or sale of any security, by the use of  
2 any means or instrumentality of interstate commerce, or of the mails, or of any  
3 facility of any national securities exchange:

- 4 A. employing any device, scheme, or artifice to defraud;
- 5 B. making any untrue statement of a material fact or omitting to state a  
6 material fact necessary in order to make the statements made, in the  
7 light of the circumstances under which they were made, not  
8 misleading; or
- 9 C. engaging in any act, practice, or course of business which operates or  
10 would operate as a fraud or deceit upon any person

11 in violation of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule  
12 10b-5 thereunder, 17 C.F.R. § 240.10b-5.

13 **V.**

14 IT IS FURTHER ORDERED that, except as otherwise ordered by this  
15 Court, Defendants Bowen, Eagle Development, Eagle Aviation, Relief Defendants,  
16 and their agents, servants, employees, attorneys, subsidiaries and affiliates, and  
17 those persons in active concert or participation with any of them, who receive  
18 actual notice of this Order, by personal service or otherwise, and each of them, be  
19 and hereby are preliminarily restrained and enjoined from, directly or indirectly,  
20 transferring, assigning, selling, hypothecating, changing, wasting, dissipating,  
21 converting, concealing, encumbering, or otherwise disposing of, in any manner,  
22 any funds, assets, securities, claims, or other real or personal property, including  
23 any notes or deeds of trust or other interests in real property, wherever located, of  
24 Defendants, Relief Defendants, and their subsidiaries and affiliates, whether owned  
25 by, controlled by, managed by or in the possession or custody of any of them and  
26 from transferring, encumbering, dissipating, incurring charges or cash advances on  
27 any debit or credit card or the credit arrangement, of Defendants and Relief  
28 Defendants.

1 **VI.**

2 IT IS FURTHER ORDERED that, except as otherwise ordered by this  
3 Court, an immediate freeze shall be placed on all monies and assets in all accounts  
4 at any bank, financial institution or brokerage firm, all certificates of deposit, and  
5 other funds or assets, held in the name of, for the benefit of, or over which account  
6 authority is held by Defendants, Relief Defendants, or any trust, partnership, joint  
7 venture, person or entity affiliated with them (including subsidiaries), including but  
8 not limited to the following accounts:

9

10 <b>Bank</b>	<b>Name on Account</b>	<b>Account no. (last 4 digits)</b>
11 Bank of America	Eagle Development Enterprises, Inc.	3447
12 Bank of America	Eagle Helicopters & Aviation, Inc.	8755
13 Bank of America	Eagle Housing & Development	8152
14 Bank of America	Eaglestaff, Inc.	3344
15 Bank of America	Eagle Assets & Management, LLC	8891
16 Bank of America	Michael J. Bowen	2823 1565 3493 8890 7775 6475 3176 2228 3497
22 Bank of America	Via Verde Property Management, 23 Inc.	0098
24 JP Morgan Chase/ 25 Washington Mutual	Eagle Assets & Management, LLC	649-5
26 JP Morgan Chase/ 27 Washington Mutual	Eagle Development Enterprises, Inc.	620-5

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1	JP Morgan Chase/ Washington Mutual	Eagle Development Enterprises, Inc.	651-0
2			
3	JP Morgan Chase/ Washington Mutual	Eagle Aviation Sales & Leasing, LLP	603-1
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5	JP Morgan Chase/Washington Mutual	Michael J. Bowen	6548 751-8 867-9
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7			
8	Bank of America	TLW Co.	6056

9 **VII.**

10 IT IS FURTHER ORDERED that Defendants Bowen, Eagle Development,  
11 Eagle Aviation, and Relief Defendants shall, within five days, of the date of  
12 issuance of this Order, prepare and deliver to the Commission a detailed and  
13 complete schedule of their assets, including all real and personal property  
14 exceeding \$5,000 in value, and all bank, securities, futures and other accounts  
15 identified by institution, branch address and account number. The accountings  
16 shall include a description of the source(s) of all such assets. Such accountings  
17 shall be filed with the Court and copies shall be delivered to the Commission's Los  
18 Angeles Regional Office. After completion of the accounting, Defendants and  
19 Relief Defendants shall produce to the Commission's Los Angeles Regional  
20 Office, at a time agreeable to the Commission, all books, records and other  
21 documents supporting or underlying the accountings.

22 **VIII.**

23 IT IS FURTHER ORDERED that, except as otherwise ordered by this  
24 Court, Defendants Bowen, Eagle Development, Eagle Aviation, Relief Defendants,  
25 and their agents, servants, employees, attorneys, subsidiaries and affiliates, and  
26 those persons in active concert or participation with any of them, who receive  
27 actual notice of this Order, by personal service or otherwise, and each of them, be  
28 and hereby are preliminarily restrained and enjoined from, directly or indirectly,

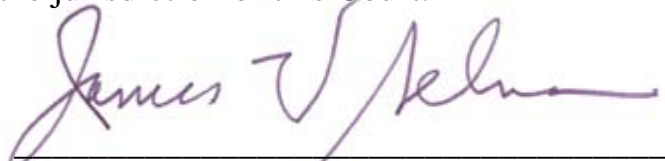
1 destroying, mutilating, concealing, transferring, altering, or otherwise disposing of,  
2 in any manner, any documents, which includes all books, records, computer  
3 programs, computer files, computer printouts, contracts, correspondence,  
4 memoranda, brochures, or any other documents of any kind in their possession,  
5 custody or control, however created, produced, or stored (manually, mechanically,  
6 electronically, or otherwise), pertaining in any manner to Defendants and Relief  
7 Defendants.

8 **IX.**

9 **IT IS FURTHER ORDERED** that this Court shall retain jurisdiction over  
10 this action for the purpose of implementing and carrying out the terms of all orders  
11 and decrees which may be entered herein and to entertain any suitable application  
12 or motion for additional relief within the jurisdiction of this Court.

13 **IT IS SO ORDERED.**

14 DATED: December 22, 2009

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17 HONORABLE JAMES V. SELNA  
18 UNITED STATES DISTRICT JUDGE  
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