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John G. Michael #106107
Matthew E. Farmer #190484
BAKER, MANOCK & JENSEN
A PROFESSIONAL CORPORATION
FIG GARDEN FINANCIAL CENTER
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Attorneys for Plaintiff ACCO FINANCE CO.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ACCO FINANCE CO., a Delaware Corporation,

Plaintiff,

v.

KYLE YANCEY, an individual and dba "Kyle Yancey Farms"; KAYLA YANCEY, an individual; YANCEY FARMS, L.L.C., an Arizona limited liability company; BRUCE YANCEY, an individual; EUELL BARNES, an individual; UAP DISTRIBUTION, INC., a Delaware Corporation and also doing business as "UAP West"; LOVELAND INDUSTRIES, INC., a Colorado corporation and also doing business as "UAP West"; and Does 1 to 10,

Defendants.

Case No. 1:06-CV-00158-OWW-LJM

TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION

Date:
Time:
Dept.:

TO ALL INTERESTED PARTIES AND/OR THEIR COUNSEL OF RECORD:

Based upon the Verified Complaint on file herein together with the Exhibits attached thereto, the motion of Plaintiff ACCO FINANCE CO. ("ACCO") for a temporary restraining order and an order to show cause regarding preliminary injunction, the Declaration of Matthew E. Farmer and the exhibits attached thereto, the supporting memorandum of points and authorities, and for good cause shown:

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YOU, YANCEY FARMS, L.L.C. ARE HEREBY ORDERED TO SHOW CAUSE at 10:00 a.m. on February 24 2006, or as soon thereafter as counsel may be heard in Department 3 of the above entitled court, why you, your agents, servants, assigns, and all those acting in concert with you, should not be restrained and enjoined from further prosecuting the garnishment proceeding against ACCO (appearing as the real party in interest for named Garnishee Anderson Clayton Corp.) in Yancey Farms, L.L.C. v. Yancey, Yuma County, State of Arizona Superior Court Case No. CV2004-00868.

PENDING HEARING ON THE ABOVE ORDER TO SHOW CAUSE, YOU, YOUR AGENTS, SERVANTS, ASSIGNS, AND ALL THOSE ACTING IN CONCERT WITH YOU, ARE HEREBY RESTRAINED AND ENJOINED FROM further prosecuting the garnishment proceeding against ACCO (appearing as the real party in interest for named Garnishee Anderson Clayton Corp.) in Yancey Farms, L.L.C. v. Yancey, Yuma County, State of Arizona Superior Court Case No. CV2004-00868.

IT IS FURTHER ORDERED that the above temporary restraining order is effective immediately. ACCO has deposited the sum of \$167,264.19 with this Court, which is the stake alleged in this interpleader action. The order to show cause and supporting papers shall be served on YANCEY FARMS, L.L.C., and all interested parties, no later than February 23, 2006, before 12:00 p.m., by personal service. Proof of service shall be filed electronically with this Court.

The following briefing schedule shall apply: Any opposition papers to the order to show cause shall be filed and served on all interested parties no later than February 24, 2006 at 9:00 a.m. Any reply papers to such opposition(s) shall be filed and served on all interested parties no later than NO REPLY, 2006, at .m.

IT IS SO ORDERED.

Dated: February 21, 2006

/s/ OLIVER W. WANGER
The Honorable Oliver W. Wanger

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