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4 MARK SHERWOOD

5 UNITED STATES DISTRICT COURT  
6 NORTHERN DISTRICT OF CALIFORNIA  
7 SAN JOSE DIVISION

8 MARK SHERWOOD,	)	CASE NO. C 05-2354-JF
	)	
9 Plaintiff,	)	
	)	
10 vs.	)	<del>[PROPOSED]</del> ORDER GRANTING MOTION
	)	FOR ASSIGNMENT OF RIGHTS AND
11	)	RESTRAINING ORDER
12 WAVECREST CORPORATION:	)	
13 AMHERST SYSTEMS, ASSOCIATES,	)	
14 INC.; DENNIS LEISZ; MICHAEL K.	)	
15 WILLIAMS,	)	
	)	
16 Defendants.	)	
	)	

17  
18 Said notice of motion and motion for assignment of rights having come on regularly for  
19 hearing this 12<sup>th</sup> day of September, 2008 at 9:00 a.m. before the Honorable Jeremy Fogel, Judge of  
20 the United States District Court, and Plaintiff MARK SHERWOOD, having submitted the matter  
21 based upon the Court's Ruling, and no opposition nor appearance filed by the Defendant  
22 WAVECREST CORPORATION, and no claim of exemption having been filed therein, and for  
23 good cause appearing, therefore.

24  
25 IT IS HEREBY ORDERED that the motion for assignment of rights and restraining order  
26 is hereby granted.  
27  
28

1 IT IS FURTHER ORDERED that all accounts, accounts receivable, rights to payment of  
2 money, contract rights, rights to payment of money from third parties, contingent rights, deposits  
3 and deposit accounts, claims against third parties, monies due from third parties, due and in favor  
4 of and for the benefit of Defendant WAVECREST CORPORATION; or any of Defendant's  
5 partners, assignees, and other persons acting on his behalf, due Defendant are hereby assigned to  
6 Plaintiff MARK SHERWOOD, care of its attorney, David J. Cook, Cook Collection Attorneys,  
7 P.L.C., 165 Fell Street, Third Floor, San Francisco, CA 94102 for purposes of payment of the  
8 Judgment in the amount of \$752,106.00, plus interest and costs as may be allowed.

9 IT IS FURTHER ORDERED that Defendant WAVECREST CORPORATION is hereby  
10 stayed, prohibited and enjoined, from cashing, negotiating, advancing, collecting, any and all  
11 accounts, accounts receivable, rights to payment of money, claims for payment of money due from  
12 third parties, or other rights subject to the assignment herein.

13 IT IS FURTHER ORDERED that Defendant WAVECREST CORPORATION is hereby  
14 prohibited, stayed and enjoined, from the assignment, mortgage, lien, or sale of any of the  
15 accounts, accounts receivable, rights to payment of money, and claims for payment of money due  
16 from third parties, the subject matter of the assignment hereunder.

17  
18 DATED: 9/18/08

  
19 JEREMY FOGEL  
20 JUDGE OF THE UNITED STATES  
21 DISTRICT COURT

22 **NOTICE TO JUDGMENT DEBTOR**

23 PLEASE TAKE NOTICE THAT THE COURT HAS ENTERED AN ORDER  
24 ASSIGNING CERTAIN RIGHTS AND PROVIDING FOR A RESTRAINING ORDER, AND  
25 OTHER RELIEF. FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN  
26 CONTEMPT IN WHICH YOU MAY BE INCARCERATED IN THE COUNTY JAIL OF NOT  
27 MORE THAN 5 DAYS AND PAYMENT OF NOT MORE THE SUM OF \$1,000 PURSUANT  
28 TO CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 1209.

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