

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FEDERAL INSURANCE COMPANY,
an Indiana corporation,

Plaintiff,

Case No. 06-11328
Hon. John Corbett O'Meara

v.

PROJECT CONTROL SYSTEMS, INC., a
Michigan corporation, PCSI MANAGEMENT,
LLC d/b/a PVA EARTHWORKS, a Michigan
limited liability company, ASSEM SHEIKH, an
individual, and NADA SHEIKH, an individual,
Defendants.

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AMENDED TEMPORARY RESTRAINING ORDER

This matter having come before the court upon the Motion for Temporary Restraining Order and/or Preliminary Injunction of Plaintiff and the filing of Federal Insurance Company's Verified Complaint, both of which are supported by Affidavits and Exhibits, the court having reviewed the Motion and Verified Complaint and accompanying Affidavits and Exhibits;

The Court having issued a Temporary Restraining Order ("TRO") on Friday, March 31, 2006, setting a hearing date of April 4, 2006, for Defendants to show cause why a Preliminary Injunction should not issue;

Defendants Project Control Systems, Inc. and PCSI Management, LLC d/b/a PVA Earthworks having been served with the Motion, the Verified Complaint and the TRO on Monday, April 3, 2006;

The time set forth in the TRO for the Show Cause hearing having now passed without response from the served Defendants;

The Court having found Federal to be substantially likely to prevail against the defendants in connection with the subject General Agreement of Indemnity, and having determined that Federal will be irreparably harmed in its rights if not given injunctive relief of the type hereunder; and

The Court being otherwise fully advised, now, therefore:

IT IS HEREBY ORDERED, as to the following projects in connection with which Project Control Systems, Inc. worked as general contractor, and which were bonded by Federal Insurance Company (“Federal”):

- (a) New Walnut Lake Sanitary Pumping Station for the owner/obligee Oakland County Drain Commissioner, County Agency for the County of Oakland (“Walnut Lake Project”); Bond No. 81964314;
- (b) New Macomb County Public Works Building for the owner/obligee Macomb County Board of Commissioners (“Macomb Public Works Building Project”); Bond No. 81966212;
- (c) Village of Dundee Industrial Pretreatment Facility Contract A for the owner/obligee Village of Dundee, Michigan (“Dundee Project”); Bond No. 81966215;
- (d) Bishop International Airport Snow Removal Equipment Building Expansion for the owner/obligee Bishop International Airport (“Bishop Airport Project”); Bond No. 81957262;
- (e) United States Postal Service St. Clair Carrier Annex Site for the owner/obligee United States Postal Service (“Postal Service Project”); Bond No. 81966198; and

(f) First Floor Renovation Martha T. Berry Medical Care Facility for the owner/obligee Macomb County (“Macomb Medical Facility Project”), Bond No. 81966225.

(Collectively the foregoing are hereinafter referred to as the “Bonded Projects”), that the Owners/Obligees shall make all further payments that would otherwise be due Project Control Systems, Inc, directly and solely to Federal.

IT IS HEREBY FURTHER ORDERED that each of Defendants shall provide Federal a full and complete accounting of all assets owned by them or in which they have an interest; and shall allow Federal and/or its agents full and complete access to all of their financial books, records and accounts, and other asset documentation, including but not limited to all accounting and other project documents related to any and all construction projects, whether bonded or not bonded by Federal, as well as any and all deeds, titles, security agreements, evidence of indebtedness, or like documentation regarding both the existence of and the value of any assets that could be used to fulfill Defendants’ collateralization obligation under the General Agreement of Indemnity;

IT IS HEREBY FURTHER ORDERED that Project Control Systems, Inc. and PCSI Management, LLC d/b/a PVA Earthworks are to immediately place with Federal the initial amount of \$2,750,000.00 in funds by money, property, or liens or security interests in property, as security for its obligations under the Bonds;

IT IS HEREBY FURTHER ORDERED that Project Control Systems, Inc. and PCSI Management, LLC d/b/a PVA Earthworks are enjoined and restrained from selling, transferring or disposing or liening their assets and property and further enjoining and restraining Defendants from allowing their assets and property to be liened, unless and until Federal shall receive the \$2,750,000 in security referenced above, or further Order of the Court;

IT IS HEREBY FURTHER ORDERED the Court shall hold a hearing on April 27, 2006, at 2:00 pm, to revisit the progress of the investigation by Federal of the Defendants' assets as provided for above, and to provide for any modification to this Order.

Dated: April 5, 2006

s/John Corbett O'Meara
United States District Judge