

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

HARLEY-DAVIDSON CREDIT CORP.
Plaintiff,

v.

ELWORTHS' HARLEY-DAVIDSON SALES
& SERVICE, INC., GREG ELWORTH, and
MARY JO ELWORTH.

Defendants.

Case No. 4:10-cv-03094

TEMPORARY RESTRAINING ORDER

On the 26th day of May, 2010, this matter came on before the Court on the Motion (Filing 2) and the Amended Motion (Filing No. 8) of Plaintiff, Harley-Davidson Credit Corp. ("Plaintiff"), for a Temporary Restraining Order (the "Motion"). The Plaintiff appeared by Trev E. Peterson and Katherine S. Vogel, its attorneys and the Defendants by James F. Cann, their attorney. Due and proper notice having been given to Defendants Elworths' Harley-Davidson Sales & Service, Inc.; Greg Elworth and Mary Jo Elworth (collectively the "Defendants"); and the Court being otherwise duly advised in the premises finds that;

1. Defendants have admitted to having possession of the following eighteen motorcycles:

Year	Model	VIN Number
2008	XL1200L	1HD1CX3418K406533
2008	FLSTN	1HD1JD5478Y049387
2009	FXSTSSE3	1HD1PT9159Y957167
2010	FLTRX	1HD1KH410AB604412
2008	FLHTCU	1HD1FC4128Y686917

2008	XL1200N	1HD1CZ3188K452216
2008	XL1200N	1HD1CZ3108K459919
2008	FXSTC	1HD1JL5418Y029520
2010	FXSTC	1HD1JL516AB013215
2010	XL1200C	1HD1CT316AC402637
2010	XL883N	1HD4LE218AC400642
2009	FXDB	1HD1GX4199K316556
2009	FLHRC	1HD1FR4129Y685299
2010	FLHRC	1HD1FR412AB603983
2010	FLSTC	1HD1BW51XAB013328
2010	FLSTSB	1HD1JM51XAB010484
2010	XL1200C	1HD1CT318AC400663
2010	XL1200N	1HD1CZ310AC401468

(the “Motorcycles”). The Defendants shall promptly surrender possession of the Motorcycles to Plaintiff’s representatives.

2. The Defendants shall not further encumber their physical assets.

3. That at the request of the Plaintiff, the Court will set a hearing on a Preliminary Injunction at a time mutually convenient for the Court, and the parties.

IT IS HEREBY ORDERED THAT:

1. The Defendants shall surrender the Motorcycles to the Plaintiff’s representatives.

2. The Defendants shall not further encumber their physical assets.

3. That the Court will schedule a hearing on a Preliminary Injunction at a mutually convenient time upon the request of the Plaintiff.

Dated: May 27th, 2010.

BY THE COURT:

s/Richard G. Kopf

Richard G. Kopf
United States District Judge

The motions(filings 2 and 8) are granted in part, denied in part and in part held in abeyance. RGK