

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

STANLEY EDELSTEIN, IVAN GERARD, )  
 PAT HOY, BARRY BLUE, ROBERT )  
 CAMPNEY, GROVONDA COLEMAN, )  
 WAYNE COREY, PETER DANIELSON, )  
 WILLIAM GOLDMAN, DANA HAMIK, )  
 MICHAEL HICKS, BILL KELLER, RICHARD )  
 NEVINS, JOE SCHUETTE, CHRISTL )  
 UPCHURCH, LORRAINE VASHON, TIM )  
 WHITTINGHILL, and PACESETTER )  
 CORPORATION AMENDED AND )  
 RESTATED KEY EXECUTIVE )  
 RETIREMENT PLAN, )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 OPTIMUS CORPORATION, )  
 )  
 Defendant. )  
 )

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8:10CV61

**TEMPORARY RESTRAINING  
ORDER**

This matter is before the court on plaintiffs' Sealed Motion for Immediate Limited Order of Attachment, which will be construed as a motion for a temporary restraining order, Filing No. 105. Plaintiffs seek relief under Fed. R. Civ. P. 64 and Neb. Rev. Stat. § 25-1001, *et seq.*, but because notice has not been afforded to the defendant and no suitable bond has been posted, the court finds the motion should properly be considered under Fed. R. Civ. P. 65(b). The Court finds that the plaintiffs have made a preliminary showing that Defendant has concealed the current ownership and value of its artwork and is likely to convert its assets into money in order to place those assets out of the plaintiffs' reach. Accordingly, the court finds that it is necessary to maintain the status quo until such time, not to exceed fourteen days, that the matter can be heard.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, as follows:

1. Defendant is hereby enjoined from selling, transferring, converting, donating, or otherwise disposing of the artwork owned by Defendant and specifically identified in Exhibits D and E to the Affidavit of Michael L. Schleich in Support of Plaintiffs' Motion for Partial Summary Judgment, filed June 15, 2011, as Fine Art and 20th Century Decorative Art and Designs (Filing No. 79, Ex. D (Doc # 79-5, Page ID # 637-38) & Ex. E (Doc # 79-6, Page ID # 644-97).
2. Defendant is further ordered to maintain possession of the artwork and to maintain any insurance currently covering the artwork.
3. The Protective Order governing documents produced in this litigation (Filing No. 70) remains in effect.
4. This matter is set for hearing on Thursday, September 29, 2011 at 3:00 p.m. Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

DATED this 20<sup>th</sup> day of September, 2011.

BY THE COURT:

s/Joseph F. Bataillon \_\_\_\_\_  
JOSEPH F. BATAILLON  
CHIEF UNITED STATES DISTRICT JUDGE