

legal. GW Equity's request for a preliminary injunction should be granted to prevent Defendant's defamatory and misleading conduct and publication.

II. ARGUMENT & AUTHORITIES

A. GW Equity Has No Relationship to the Geneva Companies.

None of the supplemental evidence shows a corporate governance or parent/subsidiary relationship between GW Equity and the Geneva Companies. Even though 10 of GW Equity's 330-plus employees are former employees of Geneva, this fact does not establish a legal or formal business relationship between the two entities. *See Exhibit A*, United States Securities and Exchange Commission Filing by Citigroup (not listing GW Equity as a legal and formal business entity related to Citigroup). Just because Deloitte employs some of Arthur Anderson's former employees today does not mean that Deloitte itself was convicted of Enron related crimes. The existence of former Geneva employees at GW Equity is thus entirely unpersuasive. Importantly, nothing in Defendants' evidence refutes, rebuts or draws into question the undisputed fact that GW Equity has never settled a \$45 million consumer class action. *See Exhibit B, Ereba Corporation v. The Geneva Companies, Inc.*, Case No. 815272 (Sup. Ct. Cal.) (First Amended Complaint filed Jan. 22, 2002). That allegation published by Defendants is false, misleading and Defendants know that. It should be taken down.

Similarly, the mere fact that GW Equity has an office in California means nothing. GW Equity is an international service provider with 330 employees located in offices in 5 different states—Texas, California, Florida, Illinois and New York. It is undisputed that (1) there is no legal or formal relationship between GW Equity and Geneva and (2) GW Equity has never been involved with a \$45 million consumer class action settlement.

B. Defendants' Arguments Regarding Great Western Business Are Immaterial.

Great Western Business Services, Inc. was not at issue at the injunction hearing. Indeed, the damaging statements referred to on the posts on the Websites specifically mention the Geneva Companies, not Great Western Business Services. At no time was GW Equity ever owned, operated or affiliated with Great Western Business Services. Great Western Business Services is a company that John Binkley was affiliated with as an officer from 2001 to 2006. Great Western Business Services was sold on June 21, 2006. Great Western Business Services is in a separate market segment offering different services than GW Equity. There is no parent/subsidiary or joint ownership of or between GW Equity and Great Western Business Services.

III. CONCLUSION

Defendants' have done nothing to refute, question or dispute that the postings on Ripoffreport.com—particularly that GW Equity settled a \$45 million consumer class action—are false and misleading. As a result, GW Equity's request for injunctive relief should be granted.

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Respectfully submitted,

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