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RICHARD J. HAYDEN
RICHARD J. HAYDEN, P.S.
1427 W. Sixth Avenue
Spokane, WA 99204-3303
(509) 624-1111

Date Entered: _____
Time Entered: _____

Of Attorneys for GE COMMERCIAL DISTRIBUTION FINANCE CORPORATION

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

GE COMMERCIAL DISTRIBUTION
FINANCE CORPORATION, as
assignee of certain assets of
Bombardier Capital, Inc.,

Plaintiff,

v.

D.K. SANDERLIN, INC., d/b/a Family
Powersports,

Defendant.

NO. CV-07-170-FVS

ORDER TO SHOW CAUSE
AND TEMPORARY
RESTRAINING ORDER

UPON reading the Complaint dated May 24, 2007, together with the exhibits annexed thereto, and the Affidavit of Michael Hudak, sworn to the 24th day of May, 2007, all submitted in support of an Order to Show Cause why an Order should not be issued herein, pursuant to R.C.W. § 7.64.020, as applicable herein pursuant to Fed. R. Civ. P. 64, directing the United States Marshall or Sheriff of the County of Grant, State of Washington, or of any other county

TEMPORARY RESTRAINING
ORDER

ORIGINAL

1 within the State of Washington where the property may be found, to seize certain
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3 property as hereinafter described, and further seeking a Temporary Restraining
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5 Order restraining the Defendant, D.K. SANDERLIN, INC., d/b/a Family
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7 Powersports, and all persons acting in concert with it, from dismantling,
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9 removing, concealing, using, hiding, selling, disposing of, transferring,
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11 encumbering, commingling or permitting to become subject to a security interest
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13 or lien or otherwise acting in any manner inconsistent with the Plaintiff's interest
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15 in such property, and due deliberation having been had hereon, and good and
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17 sufficient cause having been shown,
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23 NOW, on the Complaint dated May 24, 2007 by GE Commercial
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25 Distribution Finance Corporation (hereinafter "Plaintiff"), and upon the annexed
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27 Affidavit of Michael Hudak, sworn to the 24th day of May, 2007;
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31 The Defendant is hereby ORDERED TO APPEAR BEFORE THIS
32
33 COURT AND SHOW CAUSE IF ANY IT HAS, at a hearing to be held in
34
35 Courtroom # 3, United States District Court, Eastern District of
36
37 Washington, on the 31st day of May, 2007, at Nine o'clock
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39 A.M., or as soon thereafter as counsel can be heard, to show why an Order
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41 of Seizure should not be made and entered in this action, authorizing pursuant to
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43 R.C.W. §§ 7.64.035; 7.64.047, made applicable herein pursuant to Fed. R. Civ.
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1 P. 64, and directing the United States Marshall or Sheriff of the County of Grant,
2 State of Washington, or any other county in the State of Washington where the
3 property may be found, to seize from the Defendant, and deliver to Plaintiff all
4 Collateral as defined and more particularly described in the Complaint
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11 (“Collateral”);
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13 AND IT IS FURTHER ORDERED, pursuant to R.C.W. § 7.64.035 and
14 Fed. R. Civ. P. 65(b), that, pending the show cause hearing, the Defendant and its
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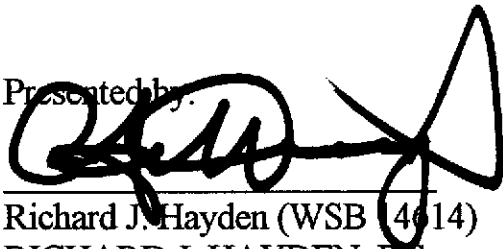
AND IT IS FURTHER ORDERED, pursuant to R.C.W. § 7.64.035 and
Fed. R. Civ. P. 65(b), that, pending the show cause hearing, the Defendant and its
respective servants, agents, employees, representatives, and all persons acting in
concert with it be, and the same hereby are, restrained and enjoined from
removing, transferring, dismantling, selling, pledging, encumbering, commingling,
using, concealing, hiding or otherwise disposing of, or permitting to become
subject to a security interest or lien, the Collateral, described above in any
manner inconsistent with Plaintiff’s interests therein; and it is further

ORDERED, that Plaintiff post an undertaking in the amount of
\$1,536,192.00, pursuant to the provisions of R.C.W. § 7.64.035 upon entry of
this Order; and it is further

ORDERED, that a copy of this Order to Show Cause and Temporary
Restraining Order, together with the copies of the above-referenced papers upon
which it is made, shall be personally served (or attempted to be personally

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Presented by:



Richard J. Hayden (WSB 4614)
RICHARD J. HAYDEN, P.S.
1427 West Sixth Avenue
Spokane, WA 99204-3033
509-624-1111
Of Attorneys for GE COMMERCIAL
DISTRIBUTION FINANCE CORPORATION
FOR THE FIRM