

FILED

STATE OF NORTH CAROLINA 2013 JUN -4 AM 10:41 IN THE GENERAL COURT OF JUSTICE
COUNTY OF WAKE WAKE COUNTY, C.S.C. SUPERIOR COURT DIVISION

FILE NO: 13 CVS 007161
BY _____

STATE OF NORTH CAROLINA, *ex rel.*
ROY COOPER, Attorney General, and
THE NORTH CAROLINA STATE BAR,

Plaintiffs,

v.

SWIFT ROCK FINANCIAL, INC., d/b/a
WORLD LAW DEBT, a/k/a WORLD
LAW GROUP; ORION PROCESSING,
LLC, d/b/a WORLD LAW PROCESSING;
and DERIN SCOTT;

and

GLOBAL CLIENT SOLUTIONS, LLC;

Defendants.

**PRELIMINARY INJUNCTION ORDER
AS TO DEFENDANTS SWIFT ROCK
FINANCIAL, INC. d/b/a WORLD LAW
DEBT, a/k/a WORLD LAW GROUP,
ORION PROCESSING, LLC, d/b/a
WORLD LAW PROCESSING, AND
DERIN SCOTT**

THIS CAUSE came on to be heard before the undersigned judge on the plaintiffs' State of North Carolina, *ex rel.* Roy Cooper, Attorney General ("the State") and the North Carolina State Bar's ("the State Bar") motion for a preliminary injunction to continue the terms of the Temporary Restraining Order in effect as to the defendants Swift Rock Financial, Inc., d/b/a World Law Debt, a/k/a World Law Group; Orion Processing, LLC, d/b/a World Law Processing; and Derin Scott (collectively, "the World Law defendants" or "defendants"). Defendant Orion Processing, LLC ("Orion") was represented by legal counsel, E. Hardy Lewis, Esq., at the hearing, and counsel

represented that defendant Orion did not object to the entry of this preliminary injunction order. From the record herein and argument of counsel, the Court finds as follows.

1. The plaintiffs filed their verified Complaint, along with their Motion for a Temporary Restraining Order and Preliminary Injunction on 22 May 2013. The plaintiffs also filed twelve affidavits in support of their Complaint and motion.

2. On 23 May 2013, at the time of the hearing on the plaintiffs' motion for a temporary restraining order, the World Law defendants appeared through counsel, A.P. Carlton, Esq. The Court, Hon. Howard E. Manning, Jr., presiding, conducted a hearing on the plaintiffs' motion and entered a Temporary Restraining Order against the World Law defendants and against defendant Global Client Solutions, LLC. Following its entry of the Temporary Restraining Order, the Court directed that service of the Temporary Restraining Order had been made on the World Law defendants through defense counsel's appearance.

3. On 23 May 2013, plaintiffs' summons, Complaint and Motion for a Temporary Restraining Order and Preliminary Injunction were served via a private process server on defendants Swift Rock Financial, Inc. and Orion Processing, LLC by personally serving the corporate defendants' registered agent for service of process at the registered office of the corporate defendants.

4. On 24 May 2013, following defendants' counsel A.P. Carlton's filing of a motion to withdraw as counsel for the defendants, plaintiffs served a courtesy copy of the Temporary Restraining Order on defendants Swift Rock Financial, Inc. and Orion Processing, LLC by sending a copy of the Order by Federal Express to the corporate defendants' registered agent at the registered office address, and such Order was delivered on 28 May 2013. On 24 May 2013,

plaintiffs also served a courtesy copy of the Temporary Restraining Order on defendant Derin Scott by sending a copy of the Order by Federal Express to defendant Scott's home address, and such Order was delivered on 28 May 2013. Also, on 24 May 2013, plaintiffs' counsel e-mailed a copy of the Temporary Restraining Order to legal counsel who is representing defendants Swift Rock Financial, Inc.; Orion Processing, LLC; and Derin Scott in a pending legal action brought by the Illinois Attorney General; and defendants' legal counsel acknowledged receipt of the Order.

5. The plaintiffs have alleged that the defendants are offering debt adjusting services and are collecting illegal advance fees for such services in violation of the Debt Adjusting Act, N.C. Gen. Stat. § 14-423, *et seq.*; that the defendants are engaging in the unauthorized practice of law in violation of N.C. Gen. Stat. §§ 84-2.1, 84-4, and 84-5; and that the defendants are otherwise engaged in unfair and deceptive practices in the marketing, solicitation and performance of their debt adjusting services and related legal services, in violation of N.C. Gen. Stat. § 75-1.1. The plaintiffs have moved for preliminary relief to restrain the defendants from soliciting, offering or collecting fees from North Carolina consumers for debt negotiation services, debt settlement services, or any legal services.

6. This Court finds that the plaintiffs have made a sufficient showing that good and sufficient cause exists for entry of this Order pursuant to N.C. Gen. Stat. § 14-425, N.C. Gen. Stat. § 75-14, N.C. Gen. Stat. § 84-37, and Rule 65 of the Rules of Civil Procedure, so as to prevent further violations of the law and to prevent further harm to the consuming public in this State.

IT IS THEREFORE ORDERED that the plaintiffs' motion for a preliminary injunction is

granted, and the terms of this Court's Temporary Restraining Order dated 23 May 2013 are continued in effect, except as modified herein. The defendants Swift Rock Financial, Inc., d/b/a World Law Debt, a/k/a World Law Group; Orion Processing, LLC, d/b/a World Law Processing; and Derin Scott, together with their officers, agents, employees, attorneys, and all persons acting in concert with them are hereby preliminarily enjoined from:

- (1) Advertising, soliciting, or offering any debt settlement or debt negotiation services, or any legal services to North Carolina consumers using any advertising or communications medium;
- (2) Entering into contracts with any North Carolina consumers for the performance of debt settlement, debt negotiation, or any legal services, including contracts that describe defendants' services as services of a law firm, of lawyers, or legal services;
- (3) Preparing or providing legal pleadings, including but not limited to answers, discovery responses, affidavits, or motions, to or for use by consumers in North Carolina, including pleadings provided to the consumer for *pro se* filing or use; or providing any legal advice to consumers in North Carolina, including instructions on filing any pleadings or other documents with a court or tribunal, or instructions to consumers on appearing before a court or other tribunal, including statements to make to such court or tribunal;
- (4) Communicating with any court, tribunal, or creditor as an attorney or other representative of the legal interests of a North Carolina consumer debtor whether identified as an attorney, a paralegal, or any other title or designation;

- (5) Collecting any fees directly or indirectly, from any North Carolina consumers related to the performance of debt settlement services; debt negotiation services; or any legal services, including attorney fees; or any other related services;
- (6) Directly or indirectly dissipating any assets of the corporate defendants outside the ordinary course of business, including but not limited to, any dissipation of such assets for the purpose of evading the potential payment of restitution to North Carolina consumers, should the plaintiffs prevail on their claims in this case;
- (7) Transferring, concealing, spending, or disposing of any money or funds received, directly or indirectly, from any North Carolina consumers in connection with the defendants' debt settlement or debt negotiation services, or any legal services, except to pay money to consumers' creditors or to return funds to consumers; and
- (8) Destroying, removing, transferring, erasing, or otherwise disposing of any business or financial records relating to the defendants' debt settlement or debt negotiation services or any legal services, including but not limited to any business or financial records relating to moneys obtained from any North Carolina consumer in connection with the defendants' debt settlement program and related legal services.

IT IS FURTHER ORDERED that the World Law defendants shall notify every North Carolina customer that the World Law defendants will no longer provide any legal services, including pleadings or instructions for appearing in court, and the customer should consult with a

North Carolina licensed attorney if they want legal services or advice concerning their legal rights and remedies with respect to any claims by creditors.

IT IS FURTHER ORDERED that, within two days of the entry of this Order, defendant Orion Processing, LLC shall post security in the amount of three hundred thousand dollars (\$300,000.00) in a trust account held by the law firm of Blanchard, Miller, Lewis & Isley, P.A., which monies shall be disbursed only upon stipulation of the plaintiffs and defendant Orion Processing, LLC, or upon further order of this Court.

IT IS FURTHER ORDERED that the freeze upon the corporate defendant Orion Processing, LLC's bank accounts at Bank of America, N.A. and at J.P. Morgan Chase, N.A. ordered by this Court in its Temporary Restraining Order entered May 23, 2013, shall be lifted, except that, to effectuate the above security provisions of this Preliminary Injunction Order:

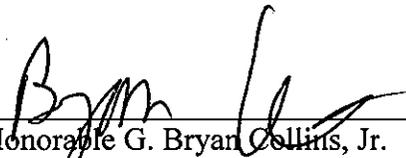
- (1) The present balance of funds held by defendant Orion Processing, LLC at Bank of America, as of the date of this Order, in bank account numbers ending in **3123 and in **3136 shall be disbursed to the law firm of Blanchard, Miller, Lewis & Isley, P.A., which shall be placed in the law firm's trust account as set forth above; and
- (2) The present balance of funds held by Orion Processing, LLC at J.P. Morgan Chase Bank, as of the date of this Order, in bank account number ending in **0048, and in any other account held by Orion Processing, LLC which has been frozen pursuant to the Court's Temporary Restraining Order of May 23, 2013, shall be disbursed to the law firm of Blanchard, Miller, Lewis & Isley, P.A., which shall be placed in the law firm's trust account as set forth above.

Following such disbursement, the bank account freeze on accounts held by Orion Processing, LLC effectuated by this Court's Temporary Restraining Order on May 23, 2013, shall be lifted. To the extent that the total present balance of the above identified accounts is less than the required security of \$300,000.00, defendant Orion Processing, LLC shall pay the remaining balance, so as to equal \$300,000.00 to the law firm of Blanchard, Miller, Lewis & Isley, P.A. Counsel for defendant Orion Processing, LLC shall provide written confirmation to counsel for the plaintiffs of the receipt of such funds within three days of the entry of this Order. To the extent that the total present balance of the above identified accounts is greater than the required security of \$300,000.00, defendants' counsel shall remit such additional funds to defendant Orion Processing, LLC.

Except for bank accounts held by defendant Orion Processing, LLC, the freeze of all other bank accounts frozen pursuant to the Court's Temporary Restraining Order, including those identified accounts held by defendant Swift Rock Financial, Inc. and World Law Debt, shall remain in effect.

This Order shall remain in effect until final resolution of this cause unless modified by further order of this Court.

This the 4th day of June, 2013, at 10:40, 9.M.



Honorable G. Bryan Collins, Jr.
Superior Court Judge Presiding