

FILED

2009 SEP -2 P 3:27

David H. Yarbrough, Clerk of the Superior Court
County of Santa Clara, California

By: 
DIANA GUTIERREZ
Deputy Clerk

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA

PEOPLE OF THE STATE OF CALIFORNIA,)
)
 Plaintiff,)
)
 vs.)
)
 MARIANO ORTEGA,)
 RENE ALVAREZ,)
 Defendants.)

NO. CC 954156

ORDER TO SHOW CAUSE &
TEMPORARY RESTRAINING
ORDER (PENAL CODE SECTION
186.11)

ORDER TO SHOW CAUSE & TEMPORARY RESTRAINING ORDER

After considering the attached and incorporated Petition for Temporary Restraining Order by deputy district attorney Michael Fitzsimmons and the accompanying Declaration of Robert Traskowski filed by the Santa Clara County District Attorney pursuant to Penal Code section 186.11(e)(2), the Court finds that this is a proper case for issuance of a Temporary Restraining Order and Order to Show Cause.

IT IS THEREFORE ORDERED THAT:

1 A. No person, company, or entity shall engage, directly or indirectly, in the withdrawal
2 or transfer of any money from the bank accounts listed below until further order of this
3 Court:
4

5 1. US Bank account # 153461255801 (M & R Contemporary Solutions)

6 2. US Bank account # 153461255793 (M & R Contemporary Solutions)
7

8 B. The Santa Clara County Office of the District Attorney shall provide a notice
9 regarding the Petition for Temporary Restraining Order by deputy district attorney Michael
10 Fitzsimmons by personal service or registered mail to every person who may have an
11 interest in the property specified in the Petition. The notice shall be published for at least
12 three successive weeks in a newspaper of general circulation in the county where the
13 property affected by an order issued pursuant to this section is located. The notice shall
14 state that any interested person may file a verified claim with the superior court stating the
15 nature and amount of their claimed interest. The notice shall set forth the time within
16 which a claim of interest in the protected property is required to be filed.
17

18 C. The Santa Clara County Office of the District Attorney shall serve a copy of the
19 Order to Show Cause/Temporary Restraining Order by personal service or registered mail
20 on all persons known to the District Attorney to have an interest in the property specified
21 herein.
22

23 D. US Bank shall, upon inquiry by any California peace officer, immediately disclose
24 the account balances in the two above-mentioned accounts, as well as the account numbers
25
26

1 and balances of any other US Bank accounts held or controlled by Mariano Ortega, Rene
2 Alvarez, or M & R Contemporary Solutions.

3 E. As to the above-mentioned bank accounts, US Bank shall, upon request by any
4 California peace officer, provide copies of monthly statements and any document
5 evidencing the withdrawal or transfer of funds out of the accounts from September 1, 2009
6 onward.

7 F. The defendants and any other person with an interest in the property or assets
8 specified herein shall show cause why a preliminary injunction should not issue by filing a
9 verified claim with the Court and serving a verified copy of the claim on the District
10 Attorney (Michael Fitzsimmons, Deputy District Attorney) as provided in Penal Code
11 section 186.11(e)(6).
12

13 **IT IS SO ORDERED.**

14 Dated: September 1, 2009



15 *Paul R. Teilm*
16 Judge of the Superior Court
17 County of Santa Clara

18 **PAUL TEILM**

19
20
21
22 THE FOREGOING INSTRUMENT IS
23 A CORRECT COPY OF THE ORIGINAL
24 ON FILE IN THIS OFFICE
25 ATTEST: DAVID H. YAMASAKI

26 **SEP 02 2009**

BY *[Signature]* DEPUTY
3
CHIEF EXECUTIVE OFFICER/CLERK
SUPERIOR COURT OF CA COUNTY OF SANTA CLARA
IN AND FOR THE COUNTY OF SANTA CLARA

DIANA GUTIERREZ

