

STATE OF IDAHO
COUNTY OF KOOTENAI } SS
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CLERK DISTRICT COURT

DEPUTY

LAWRENCE G. WASDEN
Attorney General

ALAN CONILOGUE
Deputy Attorney General
State of Idaho
P. O. Box 83720
Boise, ID 83720-0031
Telephone: 208.332.8093
Fax 208.332.8016
ISBN 3196

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR KOOTENAI COUNTY**

STATE OF IDAHO, DEPARTMENT
OF FINANCE, SECURITIES
BUREAU,

Plaintiff,

vs.

JACK LEE SMILEY,

Defendant.

Case No. CV 07-2341

**AMENDED TEMPORARY
RESTRAINING ORDER**

This cause having come before the Court on Plaintiff's Amended Ex Parte Motion for Temporary Restraining Order, on the Affidavits of Alan Conilogue and Bruce Fischler, and on materials on file with the Court in support of Plaintiff's motion for Temporary Restraining Order and in support of Plaintiff's motion for Summary Judgment, and it appearing to the Court that the Defendant, Jack Lee Smiley, is about to

commit acts set forth in the motion and affidavits, unless restrained by this Court. The Court finds that Defendant Smiley fears that Plaintiff will attempt to confiscate the Dinars, and has threatened to hide the Dinars, and that Defendant Smiley has retaken possession of the Dinars from his counsel's storage and safe keeping. If Defendant refuses to surrender possession of the Dinars and hides them or converts them, Plaintiff and the underlying investors will suffer irreparable harm as Smiley has no means to repay the investors, should the Court ultimately find in Plaintiff's favor. This Order is granted without notice in order to place the Defendant and the Dinars under the immediate control of the Court in order to prevent him from hiding the Dinars or removing them from the jurisdiction of the Court.

IT IS HEREBY ORDERED AND THIS DOES ORDER that Defendant, Jack Lee Smiley, Susan Weeks and all persons in active concert and participation with them, be and hereby are restrained from in any manner, either directly or indirectly as follows:

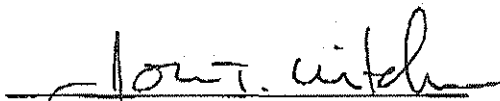
1. Removing the Dinars at issue in this case from possession and storage by Ms. Weeks.
2. Any act that would accomplish transfer of possession or control to Defendant Jack Lee Smiley or any other person.
3. Defendant Jack Lee Smiley is restrained from taking possession of the Dinars, and is further restrained from selling them or otherwise converting them to another currency or thing of value.

IT IS FURTHER ORDERED that Defendant Jack Smiley surrender possession of the Dinars, and all of them, to his counsel Susan Weeks, or alternatively to the Clerk of

the First District Court, no later than 5:00 p.m. Pacific Daylight Time on Tuesday, August 26, 2008.

IT IS FURTHER ORDERED that this Order expires within fourteen (14) days after entry unless within such time this Order, for cause shown is extended, or unless the Defendant consents that it may be extended for a longer period.

DATED this 22nd day of August, 2008.



John T. Mitchell
District Judge

CERTIFICATE OF SERVICE

I hereby certify that on the 22 day of August, 2008, I caused to be served a true and correct copy of the AMENDED TEMPORARY RESTRAINING ORDER upon all parties of record in the proceeding to the following, in the manner indicated below:

Susan Patricia Weeks
James, Vernon & Weeks, PA
1626 Lincoln Way
Coeur d'Alene, ID 83814

- U.S. mail, postage prepaid
- certified mail
- overnight mail
- hand delivery
- fax (208) 664-1684

John L. Runft
Runft & Steele Law Offices
1020 W. Main Street, Ste 400
Boise, ID 83702

- U.S. mail, postage prepaid
- certified mail
- overnight mail
- hand delivery
- fax (208) 343-3246

Alan Conilogue
Deputy Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0031

- U.S. mail, postage prepaid
- certified mail
- overnight mail
- hand delivery
- fax (208) 332-8016

Jane Clauson