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11 File No. 50,308

Filed *ph* SEP 30 2005
ROSA JUNQUEIRO, CLERK

By *[Signature]*
[Signature]

7 MARK GOLDOWITZ, ESQ. (SB# 96418)
8 CALIFORNIA ANTI-SLAPP PROJECT
9 2903 Sacramento Street
10 Berkeley, CA 94702
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12 Attorneys for Defendant
13 MALMA NICHOLSON

14 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
15 COUNTY OF SAN JOAQUIN
16 UNLIMITED CIVIL JURISDICTION

15 SHADOWBIRD, INC., a California Non-)
16 profit Public Benefit Corporation.)
17)
18 Plaintiff,)
19 vs.)
20 MALMA NICHOLSON and DOES 1)
21 through 10, inclusive,)
22 Defendants.)

CASE NO. CV 020355

~~[PROPOSED]~~
ORDER GRANTING MOTION FOR
ASSIGNMENT OF RIGHTS, RESTRAINING
ORDER, AND TURNOVER ORDER

22 Said motion for assignment of rights having come on regularly for hearing this 13th day of
23 September, 2005 at 9:00 a.m. in Department 11 before the Honorable Bob McNatt, Judge of the
24 Superior Court, and David J. Cook, Esq. of Cook, Perkiss & Lew, P.L.C., appearing on behalf of
25 Defendant MALMA NICHOLSON, and Dale S. Balcao, Esq., appearing on behalf of Plaintiff
26 SHADOWBIRD, INC., a California Non-profit Public Benefit Corporation, ("Plaintiff
27 SHADOWBIRD") and no claim of exemption having been filed therein, and for good cause
28 appearing, therefore.

SEP 26 2005

1 IT IS HEREBY ORDERED that the motion for assignment of rights, turnover order, and
2 restraining order be and the same is hereby granted.

3 IT IS FURTHER ORDERED that all accounts, accounts receivable, rights to payment of
4 money, contract rights, rights to payment of money from third parties, contingent rights, deposits
5 and deposit accounts, claims against third parties, monies due from third parties, due and in favor
6 of and for the benefit of Plaintiff SHADOWBIRD, or any of Plaintiff's family members, business
7 associates, partners, assignees, and other persons acting on his behalf, due Plaintiff
8 SHADOWBIRD are hereby assigned to Defendant MALMA NICHOLSON, care of its attorney,
9 David J. Cook, Cook, Perkiss & Lew, P.L.C., 333 Pine Street, Third Floor, San Francisco, CA
10 94104 for purposes of payment of the Judgment in the amount of \$71,308.67, plus interest and
11 costs as may be allowed.

12 IT IS FURTHER ORDERED that Plaintiff SHADOWBIRD is hereby stayed, prohibited
13 and enjoined, from cashing, negotiating, advancing, collecting, any and all accounts, accounts
14 receivable, rights to payment of money, claims for payment of money due from third parties, or
15 other rights subject to the assignment herein.

16 IT IS FURTHER ORDERED that Plaintiff SHADOWBIRD is hereby prohibited, stayed
17 and enjoined, from the assignment, mortgage, lien, or sale of any of the accounts, accounts
18 receivable, rights to payment of money, and claims for payment of money due from third parties,
19 the subject matter of the assignment hereunder.

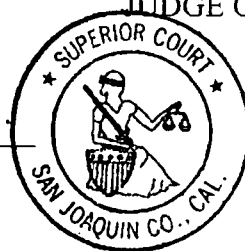
20 IT IS FURTHER ORDERED that shall deliver all checks, cash, notes, instruments,
21 deposits, deposit accounts, checks, drafts or warrants, to the Sheriff, County of San Joaquin, 7000
22 Michael Canlis Blvd., French Camp, CA 95231.

23 DATED: 9/30/05

Bob McNatt
BOB MCNATT
JUDGE OF THE SUPERIOR COURT

25 APPROVED AS TO FORM:

26 By: DALE S. BALCAO, ESQ.
27 Attorney for Plaintiff



28 THE ANNEXED INSTRUMENT IS A CORRECT COPY
OF THE ORIGINAL ON FILE IN MY OFFICE.
CAUTION: SEAL MUST BE IN PURPLE.

ATTEST OCT 12 2005
ROSA JUNQUEIRO

Clerk of the Superior Court
in and for the County of
San Joaquin State of California

By: James Brown
Deputy

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NOTICE TO JUDGMENT DEBTOR

PLEASE TAKE NOTICE THAT THE COURT HAS ENTERED AN ORDER
ASSIGNING CERTAIN RIGHTS AND PROVIDING FOR A RESTRAINING ORDER, AND
OTHER RELIEF. FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN
CONTEMPT IN WHICH YOU MAY BE INCARCERATED IN THE COUNTY JAIL OF NOT
MORE THAN 5 DAYS AND PAYMENT OF NOT MORE THE SUM OF \$1,000 PURSUANT
TO CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 1209.

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1 **PROOF OF SERVICE**

2 SHADOWBIRD, INC., a California Non-
3 profit Public Benefit Corporation
4 Rough & Ready Island Box 25-13 or #13
5 Stockton, CA 95203
6 Fax: (209) 941-9535

SHADOWBIRD, INC., a California Non-
profit Public Benefit Corporation
445 West Weber, #139
Stockton, CA 95203

5 SHADOWBIRD, INC., a California Non-
6 profit Public Benefit Corporation
7 Randolph E. Pico, Agent for Service of
8 Process
9 613 Mertz Court
10 Patterson, CA 95363

DALE S. BALCAO, ESQ.
3031 W. March Lane, Suite 236 West
Stockton, CA 95219-6500
Fax: (209) 477-5007

MARK GOLDOWITZ, ESQ., DIRECTOR
CALIFORNIA ANTI-SLAPP PROJECT
2903 Sacramento Street
Berkeley, CA 94702

11 I declare:

12 I am employed in the County of San Francisco, California. I am over the age of eighteen
13 (18) years and not a party to the within cause. My business address is 333 Pine Street, 3rd Floor,
14 San Francisco, CA 94104. On the date set forth below, I served the attached:


15 [PROPOSED] ORDER GRANTING MOTION FOR ASSIGNMENT OF RIGHTS,
16 RESTRAINING ORDER, AND TURNOVER ORDER

17 on the above-named person(s) by:

18 XXX (BY MAIL) Placing a true copy thereof, enclosed in a sealed envelope with postage
19 thereon fully prepaid, in the United States mail at San Francisco, California, addressed to the
20 person(s) served above.

21 I declare under penalty of perjury that the foregoing is true and correct.

22 Executed on September 21, 2005 at San Francisco, California.

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Karene Jen