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12 Attorneys for United States of America

13 UNITED STATES DISTRICT COURT
14 FOR THE CENTRAL DISTRICT OF CALIFORNIA
15

16 UNITED STATES OF AMERICA,) No. SA CV
17)
Plaintiff,)
18) **Proposed** TEMPORARY RESTRAINING
v.) ORDER AND ORDER TO SHOW CAUSE
19) WHY DEFENDANTS SHOULD NOT BE
SAMUEL J. DeANGELO; JOE) PRELIMINARILY ENJOINED FROM
20) PREPARING INCOME TAX RETURNS
GORDON SHIELDS, a/k/a)
GORDON SHIELDS; ALAN M.)
21) HOVEY; JEFFREY R. WRIGHT;
KELLY DAVID, a/k/a DAVID)
22) KELLY; and WESTERN TAX
SERVICES, INC.,)
23)
Defendants.)
24)

25 The United States' *Ex Parte* Application for Temporary
26 Restraining Order and Order to Show Cause Why Defendants Should
27 Not Be Preliminarily Enjoined from Preparing Income Tax Returns
28

1 having come before the Court, and good cause appearing therefor,
2 namely, evidence showing that (i) the defendants have prepared
3 numerous fraudulent income tax returns containing false and
4 inflated deductions for charitable contributions and/or employee
5 "business expenses," most of which have claimed undeserved
6 refunds, (ii) the United States has suffered a significant tax
7 loss as a result of the defendants' actions, and (iii) immediate
8 and irreparable injury will result to the United States if the
9 defendants are allowed to continue preparing income tax returns
10 for compensation pending a trial on the merits of the complaint
11 for permanent injunctive relief,

12 IT IS HEREBY ORDERED that:

13 The United States' *Ex Parte* Application for Temporary
14 Restraining Order and Order to Show Cause Why Defendants Should
15 Not Be Preliminarily Enjoined from Preparing Income Tax Returns
16 is GRANTED, and

- 17 1. The defendants, Samuel J. DeAngelo, Joe Gordon Shields,
18 Alan M. Hovey, Jeffrey R. Wright, Kelly David, and
19 Western Tax Services, Inc., and all other persons in
20 active concert or participation with them, directly or
21 indirectly, by use of any means or instrumentality, are
22 ORDERED TO CEASE and are hereby TEMPORARILY RESTRAINED
23 FROM preparing income tax returns for compensation
24 within the meaning of 26 U.S.C. § 7701(a)(36), such
25 order to remain in effect until ____ a.m./p.m. on the
26 ____ day of _____, 2003;

1 2. Government counsel shall serve a copy of this order on
2 the defendants (or their counsel, if known), by
3 personal delivery or fax, on or before ____ a.m./p.m.
4 on the ____ day of _____, 2003; and

5 3. The defendants shall respond by filing papers with the
6 Clerk of Court, on or before ____ a.m./p.m. on the ____
7 day of _____, 2003, contemporaneously serving a
8 copies on government counsel by personal delivery or
9 fax, to SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD
10 NOT ISSUE to enjoin the defendants and all other
11 persons in active concert or participation with them,
12 directly or indirectly, by use of any means or
13 instrumentality, from preparing income tax returns for
14 compensation within the meaning of 26 U.S.C. §
15 7701(a) (36) pending resolution of the complaint for
16 permanent injunctive relief herein.

17 Dated: _____

18
19 _____
 UNITED STATES DISTRICT JUDGE

19 Presented by:

20 DEBRA W. YANG
21 United States Attorney
22 EDWARD M. ROBBINS, JR.
23 Assistant United States Attorney
24 Chief, Tax Division

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24 ROBERT F. CONTE
25 Assistant United States Attorney

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