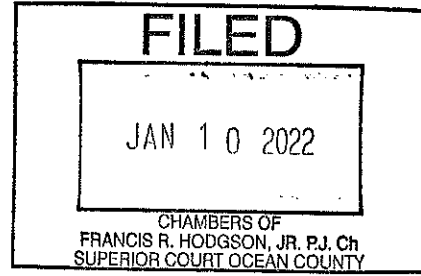


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SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION, OCEAN COUNTY
DOCKET NO.: OCN-C-218-21

ANDREW J. BRUCK, Acting Attorney General of the State of New Jersey; and SEAN P. NEAFSEY, Acting Director of the New Jersey Division of Consumer Affairs,

Plaintiffs,

v.

NATIONAL POLICE RELIEF ASSOCIATION, a New Jersey Nonprofit Corporation; THE ESTATE OF MICHAEL DAVIS, individually and as President, trustee, owner, director, founder, manager and/or representative of National Police Relief Association, a New Jersey Nonprofit Corporation; FRANK JOHN individually and as Vice President, trustee, owner, director, founder, manager and/or representative of National Police Relief Association; and ANTOINETTE JOHN, individually and as Secretary, trustee, owner, director, founder, manager and/or representative of National Police Relief Association, a New Jersey Nonprofit Corporation; XYZ CORPORATIONS 1-10; and JANE AND JOHN DOES 1-10, individually and as owners, officers, directors, shareholders, founders, managers, representatives, servants, employees, independent contractors and/or agents of National Police Relief Association, a New Jersey Nonprofit Corporation; and INDIVIDUALLY AND AS OWNERS; and XYZ CORPORATIONS 1-10,

Defendants.

Civil Action

**ORDER TO SHOW CAUSE WITH
TEMPORARY RESTRAINTS
PURSUANT TO R. 4:52**

AS AMENDED

THIS MATTER being brought before the Court by Erica Salerno, Deputy Attorney General, for plaintiffs Andrew J. Bruck, Acting Attorney General of the State of New Jersey, and Sean P. Neafsey, Acting Director of the New Jersey Division of Consumer Affairs (collectively, "Plaintiffs"), seeking relief by way of temporary restraints pursuant to R. 4:52, based upon facts set forth in the Verified Complaint and supporting Certification and Brief filed herewith; and it appearing that immediate and irreparable damage will probably result before notice can be given and a hearing held and for good cause shown.

It is on this _____^{10th} day of January, 2022 **ORDERED** that Defendants, the National Police Relief Association and A. John and F. John, the surviving and governing members of National Police Relief Association ("Defendants") appear and show cause before the Superior Court, Chancery Division, General Equity Part, Ocean County, Toms River, New Jersey at 2:00 o'clock in the afternoon or as soon thereafter ascounsel can be heard, on the 10th day of February, 2022, why an Order should not be issued preliminarily enjoining and restraining Defendants from:

- A. Engaging in, continuing to engage in, or doing any acts or practices in violation of the Charitable Registration and Investigations Act, N.J.S.A. 45:17A-18 to -40 ("CRIA") and the regulations promulgated thereunder, N.J.A.C. 13:48-1.1 to -15.1 ("Charities Regulations"), including, but not limited to, the acts and practices alleged in the Verified Complaint;
- B. Engaging in the solicitation of funds/charitable donations, either directly or through the assistance of a third-party fundraiser, in the State of New Jersey ("New Jersey");
- C. Engaging in the promotion of any charitable organization, either directly or through the assistance of a third-party fundraiser, to consumers within New Jersey;
- D. Removing, selling, encumbering, transferring or engaging in any act of disposition of any of the assets currently maintained at: PNC Bank, Ocean First, Wells Fargo, and Paypal Holdings, Inc.

- E. Destroying, concealing, altering, transferring, disposing or removing in any manner, directly or indirectly, any books or records, information stored in computer-maintained form (such as electronic mail) and any other “document,” as that term is defined in R. 4:18-1(a), in their possession, subject to their control or available to them, that directly or indirectly relate to NPRA’s finances, donors, contributors and professional fundraisers; and
- F. Failing to make and/or keep any books or records, information stored in computer-maintained form (such as electronic mail) and any other “document,” as that term is defined in R. 4:18-1(a) that directly or indirectly relate to advertisement, promotion or collection of funds for NPRA.

AND IT IS FURTHER ORDERED that on the return date herein, Defendants appear and show cause why an Order should not be issued:

- A. Freezing all assets of Defendants in which they hold a legal or equitable interest including, but not limited to, real property, securities, bonds, notes and monies held in any of their bank accounts, money market accounts, certificates of deposit or safe deposit boxes or held in petty cash, and preventing Defendants from removing, selling, encumbering, assigning, transferring or engaging in other acts of disposition of any such assets. Such assets include, but are not limited to, all accounts held at PNC Bank, Ocean First, Wells Fargo, and Paypal Holdings, Inc.
- B. Preventing any third party receiving a copy of the Order from removing, selling, encumbering, assigning, transferring or engaging in other acts of disposition of any assets subject to the asset freeze referenced in subpart A;
- C. Continuing the temporary injunctive and ancillary relief already ordered by the Court; and
- D. Granting such other relief as the Court deems equitable and just.

AND IT IS FURTHER ORDERED that pending the return date herein, Defendants are temporarily enjoined and restrained from:

- A. Engaging in, continuing to engage in, or doing any acts or practices in violation of the Charitable Registration and Investigations Act, N.J.S.A. 45:17A-18 to -40 (“CRIA”) and the regulations promulgated thereunder, N.J.A.C. 13:48-1.1 to -15.1 (“Charities Regulations”), but not limited to, the acts and practices alleged in the Verified Complaint;
- B. Engaging in the solicitation of funds/charitable donations, either directly or through the assistance of a third-party fundraiser, in the State of New Jersey (“New Jersey”);

- C. Removing, selling, encumbering, transferring or engaging in any act of disposition of any of their assets that relate to the subject matter of the Verified Complaint;
- D. Destroying, concealing, altering, transferring, disposing or removing in any manner, directly or indirectly, any books or records, information stored in computer-maintained form (such as electronic mail) and any other "document," as that term is defined in R. 4:18-1(a), in their possession, subject to their control or available to them, that directly or indirectly relate to the collection, solicitation of funds/charitable donations and their expenditure; and
- E. Failing to make and/or keep any books or records, information stored in computer-maintained form (such as electronic mail) and any other "document," as that term is defined in R. 4:18-1(a) that directly or indirectly relate to the collection, solicitation of funds/charitable donations and their expenditure;

AND IT IS FURTHER ORDERED that:

- A. All of Defendants' assets in which they hold a legal or equitable interest including, but not limited to, real property, securities, bonds, notes and monies held in any of their bank accounts, money markets, certificates of deposit or safe deposit boxes or held in petty cash are frozen. Such assets include, ~~but are not limited to, all accounts only the account held at PNC Bank with approximately \$3000, Ocean First, Wells Fargo, and Paypal Holdings, Inc.~~
- B. Defendants and any third party with written notice of this Order are prevented from removing, selling, encumbering, assigning, transferring or engaging in other acts of disposition of any such assets subject to the asset freeze referenced in subpart A;
- C. Defendants shall fully and accurately complete the Financial Disclosure Statement attached to this Order and return it to Plaintiffs' counsel no later than ten (10) days after being served with this Order.

AND IT IS FURTHER ORDERED that:

1. Defendants may move to dissolve or modify the temporary restraints herein contained upon two (2) days' notice to the Plaintiffs' attorney.

2. A copy of this Order to Show Cause, Verified Complaint, Brief and Certification submitted in support of this application shall be served upon Defendants personally (or by other means) within 7 days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4, this being original process.

3. Plaintiffs must file with the Court their proof of service of the pleadings on the Defendants no later than three (3) days before the return date.

4. Defendants shall file and serve a written response to this Order to Show Cause and the request for entry of injunctive relief and proof of service by February 2nd, 2022. The original documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. You must send a copy of your opposition papers directly via JEDS and to ocnchc.mbx@njcourts.gov, whose address is Superior Court of New Jersey, Chancery Division, General Equity Part, Ocean County Courthouse, 118 Washington Street, Toms River, New Jersey 08754. You must also send a copy of your opposition papers to the Plaintiffs' attorney whose name and address appear above, or to the Plaintiffs, if no attorney is named above. A telephone call will not protect your rights; you must file your opposition and pay the required fee of \$175 and serve your opposition on your adversary, if you want the court to hear your opposition to the injunctive relief the Plaintiffs are seeking.

5. The Plaintiffs must file and serve any written reply to the Defendants' Order to Show Cause opposition by February 7th, 2022. The reply papers must be filed with the Clerk of the Superior Court in the county listed above and a copy of the reply papers must be sent directly via JEDS and to ocnchc.mbx@njcourts.gov,

6. If the Defendants do not file and serve opposition to this Order to Show Cause, Plaintiffs' application will be decided on the papers on the return date and relief may be granted by default, provided that the Plaintiffs file a proof of service and a proposed form of Order at least three (3) days prior to the return date.

7. If the Plaintiffs have not already done so, a proposed form of Order addressing the relief sought on the return date must be submitted to the Court no later than three (3) days before the return date.

8. Defendants take notice that the Plaintiffs have filed a lawsuit against you in the Superior Court of New Jersey. The Verified Complaint attached to this Order to Show Cause states the basis of the lawsuit. If you dispute this Verified Complaint, you, or your attorney, must file a written Answer to the Verified Complaint and proof of service within thirty-five (35) days from the date of service of this Order to Show Cause; not counting the day you received it.

These documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. Include a \$175 filing fee payable to the “TreasurerState of New Jersey.” You must also send a copy of your Answer to the Plaintiffs’ attorney whose name and address appear above, or to the Plaintiffs, if no attorney is named above. A telephone call will not protect your rights; you must file and serve your Answer (with the fee) or judgment may be entered against you by default. Please note: Opposition to the Order to Show Cause is not an Answer and you must file both. Please note further: if you do not file and serve an Answer within thirty-five (35) days of this Order, the Court may enter a default against you for the relief Plaintiffs demand.

9. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are eligible for free legal assistance you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at

http://www.judiciary.state.nj.us/prose/10153_depty_clerklawref.pdf.

10. The Court will entertain argument, but not testimony, on the return date of the Order to Show Cause, unless the Court and parties are advised to the contrary no later than 2 days before the return date.



FRANCIS R. HODGSON, JR. P.J. Ch