

DISTRICT COURT, ARAPAHOE COUNTY, COLORADO 7325 South Potomac Street Centennial, Colorado 80112	COURT USE ONLY
STATE OF COLORADO, ex rel. JOHN W. SUTHERS, ATTORNEY GENERAL, Plaintiff, v. CORPORATE ACQUISITION GROUP, LLC, GLOBAL ACQUISITIONS GROUP, LLC, TYRONE TYMKOVICH, an individual, SAM LEVINE, an individual, Defendants.	
JOHN W. SUTHERS, Attorney General JAY B. SIMONSON First Assistant Attorney General, 24077* 1525 Sherman Street, 7 th Floor Denver, CO 80203 (303) 866-5079 (303) 866-4916 Fax *Counsel of Record	
MOTION FOR PRELIMINARY INJUNCTION	

Plaintiff, the State of Colorado, upon relation of John W. Suthers, Attorney General for the State of Colorado, by and through the undersigned counsel, moves this Court for a Preliminary Injunction pursuant to § 6-1-110(1), C.R.S. (2009), and Rule 65, C.R.C.P., to enjoin Defendants from engaging in numerous deceptive trade practices as specified in Plaintiff's Complaint, and for such other relief as this Court deems necessary and appropriate. As grounds for the foregoing, Plaintiff states as follows:

BACKGROUND

1. Concurrent with the filing of this Motion, Plaintiff is filing a Complaint against business entities, Corporate Acquisitions and Global Acquisitions, and against individuals, Samuel Levine and Tyrone Tymkovich. Plaintiff's Complaint alleges that in the course of advertising and selling business brokerage services, Defendants have violated the Colorado Consumer Protection Act § 6-1-105(1), C.R.S. (2009) ("CCPA").

2. Through false claims of success, Defendants mislead consumers about the likelihood of selling the consumers' businesses. Defendants include a false representation that their business has generated \$7 million in commissions from sales in 2006. The truth is, Defendants have sold very few businesses and have generated less than \$100,000 from sales commissions. Defendants generate almost all of their income from the sale of valuations (appraisals). Yet, Defendants misrepresent to consumers that they make no money from those valuations. From the average \$5,000 collected, less than \$1,000 goes toward costs for the valuation and more than \$4,000 goes to Defendants. Consumers are falsely induced to retain Defendants' services through claims that there is a qualified buyer (or buyers) interested in purchasing the consumers' companies. Defendants falsely guarantee that they will refund the consumers' money if they fail to produce a qualified buyer. Defendants routinely deny refund requests by falsely claiming they have provided a qualified buyer.

JURISDICTION

3. This Court is expressly authorized to issue a preliminary injunction to enjoin ongoing violations of the CCPA by § 6-1-101(1), C.R.S (2009).

4. The preliminary injunction is sought by the Colorado Attorney General on behalf of the State of Colorado to enforce state laws affecting the public interest. Defendants' deceptive practices are injurious to the public. Immediate and irreparable injury to additional consumers will occur without a preliminary injunction. Otherwise, Defendants will continue their deceptive and misleading representations to consumers; and there will be the additional harm to business competitors not engaged in such unlawful deceptive trade practices detailed in Plaintiff's Complaint.

5. Defendants will suffer no undue hardship by the entry of a preliminary injunction as Defendants have no right to continue to engage in unlawful and deceptive trade practices in the State of Colorado, or to collect money from consumers as a result of such unlawful and deceptive conduct in violation of the CCPA. Further, Defendants have no right to unjustly benefit from such deceptive trade practices. Without an injunction, Plaintiff will be unable to adequately protect the public from Defendants' ongoing unlawful activities.

WHEREFORE, Plaintiff requests that this Court enter a preliminary injunction that enjoins the above-named Defendants, and any other persons under their control, from further sales of their services; or, in the alternative, requires Defendants to affirmatively disclose the following:

- A. Their lack of prior success in selling business;
- B. That the likelihood of Defendants selling a business is less than one out of a hundred based on past performance;

C. The name of the buyer whenever representing that a buyer is interested in purchasing this particular business;

D. That they do not guarantee a sale of the business;

E. That they have only sold three of the seven hundred businesses with whom they have contracted to sell;

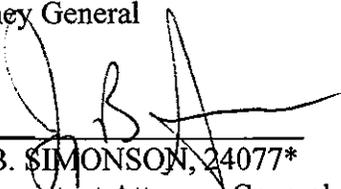
F. That the company has generated more than \$2.8 million in revenue from monies collected for valuations, yet it has earned less than \$100,000 from actual sales of businesses; and

G. The actual cost of the valuation (currently \$750).

3. Any further Order as this Court deems necessary and appropriate to further the purposes of the Colorado Consumer Protection Act.

DATED this 18th day of December, 2009.

JOHN SUTHERS
Attorney General


/s/
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Pursuant to C.R.C.P. 121, § 1-26(9), the original of this document with original signatures is maintained in the offices of the Colorado Attorney General, 1525 Sherman Street, Denver, CO 80203, and will be made available for inspection by other parties or the Court upon request.