

DISTRICT COURT, DENVER COUNTY, COLORADO Court Address: 1437 Bannock Street, Rm 256, Denver, CO, 80202	DATE FILED: February 26, 2014 1:41 PM CASE NUMBER: 2014CV30667 <p style="text-align: center;">⚠ COURT USE ONLY ⚠</p>
JULIE ANN MEADE v. APOLLO CREDIT AGENCY INC et al.	
Order: Injunction, Order Freezing Assets, Order of Non-Destruction of Records	

Case Number: 2014CV30667
 Division: 409 Courtroom:

The motion/proposed order attached hereto: GRANTED.

Issue Date: 2/26/2014



ROBERT LEWIS MCGAHEY JR.
 District Court Judge

<p>DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO 1437 Bannock Street Denver, Colorado 80202</p> <hr/> <p>JULIE ANN MEADE, ADMINISTRATOR, UNIFORM CONSUMER CREDIT CODE,</p> <p>Plaintiff,</p> <p>v.</p> <p>APOLLO CREDIT AGENCY, INC., and JAMES P. SADDORIS,</p> <p>Defendants.</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
	<p>Case No. 2014CV30667 Courtroom 409</p>
<p>PRELIMINARY INJUNCTION, ORDER FREEZING ASSETS, ORDER OF NON-DESTRUCTION OF RECORDS</p>	

This matter is before the Court on Plaintiff's Emergency *ex parte* Motion for Temporary Restraining Order, Preliminary Injunction, Order Freezing Assets, and Order Appointing Limited Receiver ("Motion"), and following the evidentiary hearing held by the Court on February 26, 2014, the Court having reviewed the Motion, the Complaint for Injunctive and Other Relief ("Complaint") filed in this matter, the evidence presented, and further being fully advised in the premises, the Court finds as follows:

1. Plaintiff filed the Motion on February 14, 2014.
2. On February 14, 2014, the Court entered its Temporary Restraining Order, Order Freezing Assets, Order of Non-Destruction of Records, and Order to Show Cause Why a Preliminary Injunction Should Not Issue ("Temporary Restraining Order").
3. By its terms, the Temporary Restraining Order expires on February 26, 2014 at 9:00 a.m. The Temporary Restraining Order also scheduled a hearing on Plaintiff's request for a preliminary injunction on February 26, 2014 at 9:00 a.m.
4. Plaintiff filed returns of service with the Court stating that Defendants Apollo Credit Agency, Inc. and James P. Saddoris were served on February 18, 2014

with, amongst other documents, the Motion, the Complaint, and the Temporary Restraining Order.

5. On February 26, 2014, the Court conducted an evidentiary hearing on Plaintiff's request for a preliminary injunction.

6. It appears, from the specific facts shown by Plaintiff's Complaint, Motion, supporting evidence, and the evidence presented at the evidentiary hearing, that immediate and future injury, loss, or damage will result to the clients of Defendant Apollo Credit Agency, Inc. ("Apollo Credit") and to Colorado consumers if Defendants Apollo Credit and James P. Saddoris ("Saddoris") are not enjoined and restrained from engaging in conduct in violation of the Colorado Fair Debt Collection Practices Act (the "CFDCPA"). The specific injury, loss, or damage includes the dissipation of client funds by Defendants and the failure by Defendants to ensure that debtors who make or have made payments to Defendants receive confirmation of and the benefit of such payments from their creditors.

7. The Administrator of the Uniform Consumer Credit Code (the "Administrator") is entitled to a preliminary injunction in this matter, pursuant to the provisions of C.R.S. § 12-14-135 and the evidence in this matter. Based on the foregoing, the Court finds as follows:

- a. The People of the State of Colorado will suffer real, immediate, and future harm and injury if a preliminary injunction, order freezing assets, and order of non-destruction of records is not granted, since it appears to the Court that Defendants have and will continue to violate the CFDCPA if not so restrained and enjoined;
- b. Defendants appear to have violated C.R.S. § 12-14-123(1)(c) and C.R.S. § 12-14-123(1)(d) of the CFDCPA;
- c. The relief sought by Plaintiff is provided by law; and
- d. Pursuant to C.R.S. § 12-14-135, Plaintiff shall not be required to post a bond.

WHEREFORE, IT IS HEREBY ORDERED:

1. Defendants Apollo Credit and Saddoris, their officers, agents, servants, employees, successors, and attorneys, as may be; any person who, directly or

indirectly, through one or more intermediaries, controls, is controlled by, or is under the common control with Defendants; and all those in active concert or participation with Defendants who receive actual notice of the Court's Order by personal service, facsimile transmission, or otherwise, are hereby enjoined from engaging in the following acts:

- a. Spending, transferring, or otherwise dissipating any money or other funds collected by Apollo Credit on behalf of its clients;
- b. Further collecting money or other funds from debtors on behalf of its clients;
- c. Destroying, altering, or in any other way dissipating the books and records of Apollo Credit;
- d. Transferring client accounts for collection to any party other than the client without the express written consent of the client;
or
- e. Violating any provision of the CFDCPA.

IT IS FURTHER ORDERED that:

1. The accounts, property, and assets of Apollo Credit Agency, Inc., wherever located, are to be frozen immediately until further order of this Court. Accounts within the scope of this Order include all bank, trading, or other financial accounts in the name of Apollo Credit Agency, Inc. Specific accounts governed by this Order shall include, but are not limited to, all Apollo Credit accounts at FirstBank Holding Company and/or FirstBank, including account numbers XXX-XXX-7929, XXX-XXX-8775, XXX-XXX-2653, XXX-XXX-0893, XXX-XXX-5623, and XXX-XXX-7553. While the foregoing account numbers are redacted, the Administrator is authorized to provide the complete account numbers to any receiver appointed in this case.

2. The Administrator may apply to this Court on an *ex parte* basis for an expedited order freezing further accounts should additional accounts of Defendants be identified.

DONE this ___ day of _____, 2014.

BY THE COURT:

District Court Judge

Attachment to Order - 2014CV30667