

DISTRICT COURT, DENVER COUNTY, COLORADO Court Address: 1437 Bannock Street, Rm 256, Denver, CO, 80202	DATE FILED: July 8, 2013 10:32 AM  <p style="text-align: center;"><b>⚠ COURT USE ONLY ⚠</b></p>
<b>Plaintiff(s)</b> STATE OF COLORADO et al. v. <b>Defendant(s)</b> BOOBIES ROCK INC et al.	
Case Number: 2013CV32857 Division: 269                      Courtroom:	
<b>STIPULATED PRELIMINARY INJUNCTION ORDER</b>	

The motion/proposed order attached hereto: GRANTED.

The preliminary injunction is hereby ISSUED this 8th day of July, 2013.

Issue Date: 7/8/2013

*Ann B. Frick*

ANN B FRICK  
 District Court Judge

<p>DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO</p> <p>1437 Bannock Street, Room 256 Denver, Colorado 80202</p> <p>STATE OF COLORADO, ex rel. JOHN W. SUTHERS, Attorney General,</p> <p>Plaintiff,</p> <p>v.</p> <p>BOOBIES ROCK!, INC, a/k/a , THE SE7VEN GROUP, a California corporation, SAY NO 2 CANCER, and ADAM COLE SHRYOCK, individually.</p> <p>Defendants.</p>	<p>▲ COURT USE ONLY</p>
	<p>Case No.: 2013CV32857</p> <p>Courtroom: 269</p>
<p><b>STIPULATED PRELIMINARY INJUNCTION ORDER</b></p>	

Plaintiff, the State of Colorado, upon relation of John W. Suthers, Attorney General for the State of Colorado, by and through undersigned counsel, and Defendants Boobies Rock!, Inc. a/k/a The Se7ven Group, Say No 2 Cancer<sup>1</sup>, and Adam Cole Shryock, having each consented to the entry of this Stipulated Preliminary Injunction, without any prejudice to Plaintiff's ability to prosecute the claims against the Defendants in Plaintiff's Complaint; and the Court, having considered this matter and being fully advised in the premises, FINDS, CONCLUDES AND ORDERS AS FOLLOWS:

<sup>1</sup> Say No 2 Cancer is incorporated in Delaware as SN2C, Inc.

1. This Court has jurisdiction in the matter presented herein by virtue of Colo. Rev. Stat. § 6-1-110(1) and Rule 65, C.R.C.P.

2. This Court is expressly authorized to issue a Preliminary Injunction to enjoin ongoing violations of the Colorado Consumer Protection Act, Colo. Rev. Stat. § 6-1-101 *et seq.* (“CCPA”) and the Colorado Charitable Solicitations Act, Colo. Rev. Stat. § 6-16-101 *et seq.* (“CCSA”) by Colo. Rev. Stat. § 6-1-110(1):

Whenever the attorney general or a district attorney has cause to believe that a person has engaged in or is engaging in any deceptive trade practice listed in section 6-1-105 or part 7 of this article, the attorney general or district attorney may apply for and obtain, in an action in the appropriate district court of this state, a temporary restraining order or injunction, or both, pursuant to the Colorado rules of civil procedure, prohibiting such person from continuing such practices, or engaging therein, or doing any act in furtherance thereof. The court may make such orders or judgments as may be necessary to prevent the use or employment by such person of any such deceptive trade practice or which may be necessary to completely compensate or restore to the original position of any person injured by means of any such practice or to prevent any unjust enrichment by any person through the use or employment of any deceptive trade practice.

Colo. Rev. Stat. § 6-1-110(1).

3. Plaintiffs have shown from specific facts by affidavit that Defendants’ deceptive practices are injurious to the public and that continued violations, if not enjoined, will cause immediate and irreparable injury, loss or damage. *Baseline Farms Two, LLP v. Hennings*, 26 P.3d 1209, 1212 (Colo. App. 2001); *Lloyd A. Fry Roofing Co. v. State Dept. of Air Pollution*, 553 P.2d 200 (Colo. 1976); *Rathke v. MacFarlane*, 648 P.2d 648 (Colo. 1982). Immediate and irreparable injury to additional consumers will occur without an injunction because Defendants will continue to deceive consumers into thinking that they are donating or contributing money to charity, and Defendants will continue to be unjustly enriched through their deception.

4. Defendants will suffer no undue hardship by the entry of a preliminary injunction because Defendants have no right to continue to engage in unlawful and deceptive trade practices in violation of the CCPA and the CCSA, or to

collect money from consumers as a result of such unlawful and deceptive conduct. Furthermore, Defendants have no right to unjustly benefit from their unlawful behavior. Without an injunction, Plaintiff will be unable to adequately protect the public from Defendants' ongoing illegal activities.

5. Pursuant to C.R.C.P. Rule 65(c), Plaintiff is not required to provide a security bond.

**IT IS HEREBY ORDERED PURSUANT TO C.R.S. § 6-1-110(1) AS FOLLOWS:**

A. Defendants and their officers, directors, agents, servants, employees, independent contractors and any other persons in active concert or participation with Defendants who receive notice of the Court's order including, but not limited to, Amy Bradley-Maierson, **ARE ENJOINED FROM:**

1. Engaging in any sale of merchandise or collecting any money on behalf of Boobies Rock!, a/k/a The Se7ven Group, Say No 2 Cancer, or any other organization representing that it is a charitable organization as defined in Colo. Rev. Stat. § 6-16-103(1), or is raising money for charitable causes;
2. Selling any merchandise that bears the slogans "Boobies Rock," "SN2C," or "Say No 2 Cancer," or any comparable slogan or cause that a reasonable person would believe is for charitable purposes;
3. Advertising or promoting any events on behalf Boobies Rock!, a/k/a The Se7ven Group, Say No 2 Cancer, or any other organization representing that it is a charitable organization as defined in Colo. Rev. Stat. § 6-16-103(1), or is raising money for charitable causes;
4. Advertising or soliciting for individuals to work for Boobies Rock!, Inc., a/k/a The Se7ven Group, Say No 2 Cancer, or any other organization representing that it is a charitable organization as defined in Colo. Rev. Stat. § 6-16-103(1), or is raising money for charitable causes;
5. Operating, forming, founding, or establishing any charitable organization, as defined in Colo. Rev. Stat. § 6-16-103(1);

6. Acting as a director, officer, trustee, employee, agent, professional fundraising consultant, or paid solicitor of any charitable organization, as defined in Colo. Rev. Stat. § 6-16-103(1);

7. Making any charitable solicitations; and

8. Using any trade names to make any charitable solicitations.

B. This Order requires Defendants and their officers, directors, agents, servants, employees, independent contractors and any other persons in active concert or participation with Defendants who receive notice of the Court's order including, but not limited to, Amy Bradley-Maierson, to:

1. Deactivate immediately all Internet sites, domain names, URL addresses, registrations, Facebook pages; and any other forms or materials that advertise or market Boobies Rock!, Inc., Say No 2 Cancer, or any organization claiming to be charitable or to be raising money for charitable causes including, but not limited to, [www.boobiesrockstore.org](http://www.boobiesrockstore.org) and [www.sayno2cancer.com](http://www.sayno2cancer.com);

2. Immediately withdraw all job postings for Boobies Rock! and Say No 2 Cancer from [www.craigslist.com](http://www.craigslist.com); [www.marketingrockstar.com](http://www.marketingrockstar.com); [www.jobspider.com](http://www.jobspider.com); and any other website;

3. Immediately notify all current Boobies Rock!, Inc. and Say No 2 Cancer employees and/or independent contractors, including promotional managers and promotional models, of the Order in writing by e-mail, and United States mail, first-class postage prepaid, postmarked no later than 24 hours after the entry of this Order, attaching and enclosing the Order and informing each individual that Boobies Rock! and Say No 2 Cancer have ceased doing business; and

4. Provide a status report and certification to the Court four (4) days after the entry of this Order that Defendants have complied with the foregoing (1) through (3).

**ASSET FREEZE REQUEST UNDER C.R.S. § 6-1-110(1)**

Given the broad remedial scope of the CCPA and the conduct of Defendants, the Court hereby enters an ORDER pursuant to C.R.S. § 6-1-110(1)

that freezes the Defendants' bank accounts to preserve effective final relief for consumers, as follows:

A. Defendants and their officers, directors, agents, servants, employees, independent contractors and any other persons in active concert or participation with Defendants who receive notice of the Court's Order including, but not limited to, Amy Bradley-Maierson, are enjoined from:

1. Withdrawing, transferring or otherwise encumbering any funds from any account, including but not limited to those accounts in Defendants' names, at any financial institution into which Defendants or their officers, directors, agents, servants, employees, independent contractors or any other persons in active concert or participation with Defendants including, but not limited to, Amy Bradley-Maierson, deposited or transferred money received from consumers as a result of Defendants' business;

2. Negotiating any checks, money orders, wire transfers, drafts, or other negotiable instruments received by Defendants or their officers, directors, agents, servants, employees, independent contractors or any other persons in active concert or participation with Defendants including, but not limited to, Amy Bradley-Maierson, as a result of Defendants' business;

3. Depositing or processing any credit card and debit card receipts obtained by Defendants or their officers, directors, agents, servants, employees, independent contractors or any other persons in active concert or participation with Defendants, including, but not limited to, Amy Bradley-Maierson, as a result of Defendants' business, and using any financial transaction device, such as a debit or credit card number, obtained from any consumer; and

4. Spending, transferring, giving away, or in any way disposing of any monies received by Defendants or their officers, directors, agents, servants, employees, independent contractors or any other persons in active concert or participation with Defendants, including, but not limited to, Amy Bradley-Maierson, as a result of Defendants' business.

5. The provisions above apply, but are not limited to, accounts at the following banking institutions associated with Defendants: Bank of America and Wells Fargo Bank.

B. This Court also enjoins Defendant Shryock from transferring, gifting, assigning, encumbering, selling, dissipating, or otherwise disposing of the 2008 BMW, VIN # WBANV135 68BZ47609, and any other vehicles purchased using funds from accounts that Shryock has in his possession as of the date of the Court's June 26, 2013 Temporary Restraining Order.

\*\*\*

As Defendants have represented that they are willing to permanently discontinue their businesses, they shall have sixty (60) days from this Order before being required to file an Answer so as to allow the parties time to devise a final resolution of this case.

Dated this \_\_\_\_ of July, 2013.

JOHN W. SUTHERS  
Attorney General

---

ALISSA HECHT GARDENSWARTZ\*  
Senior Assistant Attorney General  
Consumer Protection Section  
Attorneys for Plaintiff  
\*Counsel of Record

Dated this \_\_\_ of July, 2013.

---

ADAM COLE SHRYOCK, individually  
and on behalf of Boobies Rock!, Inc., a/k/a ,  
The Se7ven Group, and Say No 2 Cancer  
Defendants

SO ORDERED and SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2013.

BY THE COURT:

---

Hon. Ann B. Frick  
District Court Judge

Attachment to Order - 2013CV32857