

[Heather Manor.]
[Order entered June 1, 2005.]

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

<p>STATE OF IOWA ex rel. THOMAS J. MILLER, ATTORNEY GENERAL OF IOWA, 99AG25112,</p> <p>Plaintiff,</p> <p>vs.</p> <p>HEATHER MANOR, L.L.C.,</p> <p>CARROLL ROBERT McCLURG, in his corporate capacity and in his individual capacity,</p> <p>LARRY A. WEIDE, in his corporate capacity and in his individual capacity,</p> <p>DANIEL LEE SPENCER, in his corporate capacity and in his individual capacity,</p> <p>Defendants.</p>	<p>LAW NO. CE 51035</p> <p>ORDER GRANTING TEMPORARY INJUNCTION</p>
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On May 31, 2005, a hearing was held on Plaintiff's Application for a Temporary Injunction. Plaintiff appeared by Attorney Rod Reynolds. Defendants appeared by Attorney Jerry Wanck. Jeffrey Goetz also appeared on behalf of the residents of Heather Manor. Michael Mallaney appeared on behalf of Iowa Securities, and Richard Updegraff appeared on behalf of Iowa State Education Association. After reviewing the file and considering the evidence, the Court Finds and Orders as follows.

FACTS

The Attorney General brings this civil action against a limited liability company, Heather Manor, L.L.C. and its managers/members concerning the purchase of real estate from a nonprofit corporation, Horace Mann Home for the Aged, Inc. and the subsequent actions of individual Defendants serving as Trustees on the Board of the Horace Mann