

Cause No. D-16N-08-000646

NATHAN MANCIAS, IN HIS  
CAPACITY AS CANDIDATE FOR  
THE TEXAS HOUSE OF  
REPRESENTATIVES – DISTRICT 73  
Plaintiff,

vs.

TEXANS FOR ECONOMIC  
DEVELOPMENT PAC, TOMMY  
AZOPARDI, in his capacity as  
Treasurer for Texans for Economic  
Development PAC, CALL NOW INC.,  
RETAMA DEVELOPMENT CORP.,  
THOMAS R. JOHNSON and DOUG  
MILLER, in his capacity as candidate  
for Texas House of Representatives –  
District 73

Defendants.

IN DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Filed in The District Court  
of Travis County, Texas

FEB 22 2008

At  
Amalia Rodriguez-Mendoza, Clerk

419 JUDICIAL DISTRICT

### TEMPORARY RESTRAINING ORDER

On this day, the Court considered Plaintiff's Original Petition and Verified Application for Temporary Restraining Order and Temporary Injunction and has determined it should be granted.

The Court finds:

- (1) Pursuant to Texas Election Code sec. 273.081 an injunction shall issue when there has been a violation of the Texas Election Code;
- (2) Texans for Economic Development PAC has violated the Election Code by receiving unauthorized contributions from corporations;
- (3) The money from these illegal contributions are being used to disseminate a political advertisement opposing State Representative Nathan Macias;

RECEIVED

RECEIVED

(4) The use of unauthorized contributions in this manner is a violation of the Texas Election Code and an injunction shall issue.

Furthermore, the Court finds the Plaintiff has demonstrated irreparable harm and a reasonable likelihood of success on the merits.

It is therefore, ORDERED, ADJUDGED AND DECREED that Defendants, and those acting in concert with them who receive notice of this Order are hereby immediately enjoined as follows:

(1) Defendants, other entities, their agents and representatives are immediately restrained and enjoined from purchasing ad time, broadcasting, disseminating direct mail advertisements, publishing in any medium (whether through paid advertising or through free internet distribution), the advertisement at issue (featuring the Ostrich with its head in the sand) or any other statements, pictures, images, or other media or information that relates to the statements made concerning Nathan Macias.

(2) Candidate Doug Miller and his campaign or anyone acting on their behalf or at their direction is enjoined from receiving, spending or pledging any funds received from Defendant TEDPAC for campaign related events, including but not limited to, administrative expenses, campaign expenses, print advertising, television advertising, direct mail or any other campaign related expense.

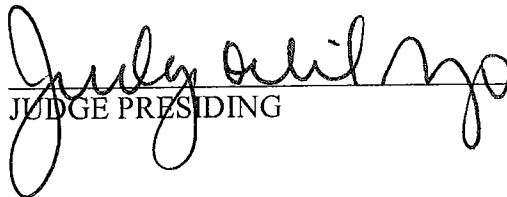
(3) Defendants are enjoined from broadcasting any political ads, disseminating any direct mail pieces or providing any goods or services in consideration of a contribution received from Defendant TEDPAC or Defendant Miller, unless Defendant Miller can confirm to the Court, in writing, the origin of the funds employed to purchase goods or services is not Defendant TEDPAC.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Respondents appear before this Honorable Court on the 6<sup>th</sup> day of March, 2008, at 2.00 o'clock P.M., in the 419<sup>th</sup> Judicial District Court of Travis County, Texas, and then and

there show cause, if any there by, why a Temporary Injunction should not be issued as prayed by the Applicants.

The Clerk of the above-entitled Court shall forthwith, upon the filing by Applicants of the Bond hereinafter required, and on approval of the same according to law, issue a Temporary Restraining Order in conformity with the law and under the terms of this Order. This Order is effective immediately, conditioned upon Applicants' execution and filing with the Clerk of the Court, in conformity with the law, a Bond or cash deposit in lieu of in the amount of one thousand and no/100 Dollars (\$ 1,000 ).

SIGNED and RENDERED at 9:29 o'clock, 11 .m., this 22 day of February, 2008.

  
JUDGE PRESIDING

CAUSE NO. D-1-GN-08-000646

**CASH BOND CERTIFICATE**  
**TEMPORARY RESTRAINING ORDER Bond**

*Remitted for: -Appearance -Attachment -Child Support -Fine -Garnishment -Injunction  
-Malpractice -Mediation -Receivership -Relief -Sequestration -Supersedeas -Temporary Injunction -TRO*

NATHAN MANCIAS

In the 419TH District Court

vs.

TEXANS FOR ECONOMIC DEVELOPMENT PAC

Travis County, Texas

Filed in The District Court  
of Travis County, Texas

FEB 22 2008

At 11:00 a.m.  
Amalia Rodriguez-Mendoza, Clerk

KNOW ALL MEN BY THESE PRESENTS:

That we, PLAINTIFF, the undersigned Principals, acknowledge deposit with the Travis County District Clerk, the sum of ONE THOUSAND DOLLARS (\$1000.00) in lieu of surety bond as permitted by Texas Rules of Civil Procedure 14c, conditioned that the Principals will abide by the decision that may be made in the foresaid cause.

WITNESS our hands this 22nd day of FEBRUARY, 2008.

Laura L. Prother

Principal

**Amalia Rodriguez-Mendoza**  
**Travis County District Clerk**

Meissa Solis

