

F I L E D

**IN THE CIRCUIT FOR WILSON COUNTY TENNESSEE
AT LEBANON**

A.M. SEP 26 2002

LINDA NEAL
CIRCUIT COURT CLERK
WILSON COUNTY, TN

P.11.
3:25
jn

ROBERT KIBBEY
Plaintiff,

v

Case Number: 12383
JURY DEMAND

CARL TILLEY (Individually and dba)
THE TILLEY FOUNDATION
Defendants.

EMERGENCY MOTION FOR TEMPORARY INJUNCTION

COMES NOW, the Plaintiff, ROBERT KIBBEY, by counsel and pursuant to Rule 65.04 of the Tennessee Rules of Civil Procedure, and moves this Honorable Court for a temporary injunction enjoining the Defendant: CARL TILLEY, his agents, servants, employees and attorneys, and all persons in active concert or participation with him from transferring, encumbering, selling or otherwise disposing any property, equipment, technology, licenses, patents, accounts, certificates, stocks, bonds, funds, or assets of any kind whatsoever belonging to or relating to Carl Tilley individually, Robert Kibbey, or the business known as The Tilley Foundation. Further, Plaintiff seeks an injunction preventing the depletion of personal accounts of any kind whatsoever, notwithstanding any necessary living expenses which are subject to review. As grounds for this motion, as more fully set forth in Plaintiffs verified complaint Plaintiff ROBERT KIBBEY would show the Court as follows:

1. Unless enjoined by this Court, Defendant will perform the acts to be restrained;
2. Such action by the Defendant will result in irreparable injury, loss and damage to Plaintiff as more fully appears in Plaintiffs verified complaint;
3. The issuance of the requested temporary injunction will not cause undue inconvenience or loss to Defendant, but will prevent irreparable injury to the Plaintiff;
4. Plaintiff tenders and offers to furnish such bond as the Court may deem proper to