



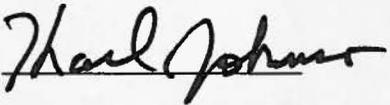
4. The Court further finds that the State of Texas has a probable right and probably will prevail upon final hearing of this action and that without the issuance of this relief, the State of Texas and the citizens in whose interest the case has been brought, will probably suffer irreparable injury as set forth herein. There is no adequate remedy at law.

5. The Court finds that:

(a) The Court finds that it has jurisdiction to appoint a Receiver in this case because the Attorney General of the State of Texas has demonstrated that the Defendant TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION and THPA SERVICES, INC. is in a precarious financial condition and that this and other conditions described in the foregoing findings place the Defendants' patrons and the general public in imminent and irreparable harm.

(b) Defendants have mismanaged the financial affairs, charitable and corporate funds of Defendants TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION and THPA SERVICES, INC. and have paid personal expenses with publicly donated charitable funds.

**APPOINTMENT OF RECEIVER**

6. **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that  possesses the necessary qualifications, is not an attorney for or related to any party to this action, and is a proper person to be, and is hereby, appointed Temporary Receiver of the assets and business of Defendants TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. or the assets held in the name of or for the benefit of Defendants TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, and THPA SERVICES, INC., which include solicited donations, solicited

magazine advertisements, sales of T-shirts and other such items, donations to the Museum or sales of any other items in its Museum by TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. On filing a receiver's bond pursuant to CPRC § 64.023 in the amount of \$ 500,000<sup>00</sup> conditioned as provided by law and approved by this Court, together with the oath prescribed by law, the Receiver shall be authorized, subject to control and further order of this court, to do any and all acts necessary to the proper and lawful conduct of a receivership under Chapter 64 of the Texas Civil Practice and Remedies Code (CPRC), and specifically including the following:

a. **General.** Operate and conduct the business of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or successors in interest, if any), which is conducted under, or on behalf of, all of the entities' names at 501 Oakland Avenue, Austin, Texas, 78703 as all entities' principal place of business, and elsewhere, including the Museum located at 812 S. Alamo Street, San Antonio, Texas 78205; other offices located at 111 W. Anderson Lane, Suite E328, Austin, Texas 78701; 8209 Long Point Drive, Houston, Texas; 2150 Trawood, Suite A-240, El Paso, Texas; 11037 FM 1960 Rd., A-1, Houston, Texas; 3993 FM 1960, Houston, Texas; and 3040 FM 1960, #156, Houston, Texas. The Receiver is authorized to employ agents, employees, clerks, experts, legal representatives, and accountants, and to purchase merchandise, materials, supplies, and services, and to pay for them at ordinary and usual rates and prices out of funds that shall come into his/her possession as Receiver, and to do all things, and to incur the risks and obligations ordinarily incurred by owners, managers, and operators of similar businesses and enterprises, as the Receiver, and no such risk or obligation so incurred

shall be the personal risk or obligation of the Receiver, but a risk or obligation of the receivership estate.

b. **Real and Personal Property.** Take charge of the property, described below, insure it against hazards and risks, and attend to its maintenance. Such property includes, but is not limited to, the following:

i. All real estate, including leaseholds, held by or held on behalf of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. and improvements thereon, such as office buildings, storage buildings, and other structures;

ii. All personal property held by TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of Defendant, by TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. such as office equipment, supplies, cash registers, safes (and their contents), telephones, inventory, equipment, furniture, vehicles, and all other equipment;

iii. All computers, hard drives, computer disks, software, data storage devices, wiring and connections; and

iv. Any other property, of any kind or nature, in the custody, possession or control of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL

ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of TIMOTHY TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA AND ROBERT BERNARD, JR, which is comprised of in any part from the soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, donations to the Museum or sales of any other items in its Museum, wheresoever situated.

d. Assets. Take charge of all assets, located within the United States or elsewhere, held by TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of Defendants, which is comprised of in any part from the soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, donations to the Museum or sales of any other items in its Museum, or held by others for the benefit of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any). Such assets include, but are not limited to, the following:

- i. Cash, checks, money orders, IOU's, checking accounts, savings accounts, certificates of deposit, money market accounts, lines of credit, letters of credit, and safe deposit boxes;

- ii. Savings bonds, treasury bills, or treasury notes, and securities such as stocks, stock options, registered and bearer bonds, state and municipal bonds, and mutual funds;
- iii. Funds or other assets that are in escrow or in trust for TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of Defendants TIMOTHY TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA AND ROBERT BERNARD, JR., which is comprised of, in any part, soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, donations to the Museum or sales of any other items in its Museum; and
- iv. Any other asset or financial instruments, of any kind or nature, held by or held on behalf of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of Defendants TIMOTHY TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA AND ROBERT BERNARD, JR., which is comprised of in any part from the soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, donations to the Museum or sales of any other items in its Museum.
- e. **Other Property.** Take charge of all other miscellaneous property held by or held on behalf of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the

name of or for the benefit of Defendants TIMOTHY TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA AND ROBERT BERNARD, JR., which is comprised of in any part from the soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, donations to the Museum or sales of any other items in its Museum. Such miscellaneous property includes, but is not limited to, the following:

- i. Credit cards and store charge accounts;
- ii. Accounts payable or receivable including outstanding loans from and to the Defendants;
- iii. Business records and all written, typed, or printed matter and all magnetic, electronic, or other records or documents of any kind or description (written, stored, or recorded on any medium) such as financial books, financial statements, bank statements, credit card statements, bills of sale, receipts, deeds, contracts for deed, leases, contracts, agreements, memoranda of understanding, audits, employee records, minutes of meetings, files, ledgers, correspondence, memos, e-mails, customer lists, complaint logs, billing records, or records of payment;
- iv. Passwords to electronic devices and computer systems, keys to buildings, vehicles, and padlocks, and keys and combinations to safes; and
- v. Any other miscellaneous property, of any kind or nature, in the custody, possession or control of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of Defendants TIMOTHY

TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA AND ROBERT BERNARD, JR., which is comprised of in any part from the soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, donations to the Museum or sales of any other items in its Museum, wheresoever situated.

f. **Liabilities.** Take charge of all debts, liabilities, and obligations of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of Defendants TIMOTHY TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA AND ROBERT BERNARD, JR., which is comprised of in any part from the soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, donations to the Museum or sales of any other items in its Museum.

g. **Miscellaneous.** Undertake all measures necessary or incidental to the operation of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), including, but not limited to, the following:

- i. Make demand upon any person in possession of the property described above (in paragraph 6. e. i through v, inclusive) that such properties be transferred to him;
- ii. Bring suit, including declaratory judgment actions, in the courts of this state whenever the Receiver has reason to believe that such suit is in the interest of

TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any);

iii. In as prompt a manner as is possible, achieve compliance with the Temporary Restraining Order in this cause of action; and

iv. File motions in this cause seeking the Court's approval to take actions beyond the scope of this Order, on behalf of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any).

**ORDERS INCIDENT TO APPOINTMENT OF RECEIVER**

7. **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the Clerk of this Court shall issue a Writ against the persons and entities named below in paragraphs 12 through 14, inclusive, with the following force and effect:

8. **Order to Defendant and Those Related to It.**

TO: TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. its Managing Members, TIMOTHY TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA, ROBERT BERNARD, JR., and employees; members; trustees; associates; representatives; servants; agents; and those acting in concert with, or on behalf of, any person or entities described above:

a. **EACH OF YOU is hereby ORDERED TO REFRAIN** from:

i. Doing, operating, and conducting the business of Defendants or any other business of Defendants, under any charter, certificates of authority, license, permit, power or privilege, belonging to, or heretofore issued by or to Defendants, or

exercising any direction, control, or influence over said business of Defendants, except through the authority of the Temporary Receiver or his designees;

ii. Doing anything, directly or indirectly, to prevent the Temporary Receiver or his designees from investigating, gaining access to, examining or acquiring any and all records, property or other materials concerning Defendants, under whatever name they may be found;

iii. Disposing of, converting, dissipating, using, releasing, transferring, withdrawing, allowing to be withdrawn, selling, assigning, canceling, hypothecating, offsetting, or concealing, in any manner, any property belonging to, payable to, claimed by, or held for the benefit of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of Defendants TIMOTHY TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA AND ROBERT BERNARD, JR., which is comprised of in any part from the soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, whether such property is real, personal, or mixed, including, but not limited to, money; accounts; trust accounts; share accounts; stocks; bonds; funds; loans, notes; deposits; letters of credit; safe deposit boxes; furniture; equipment; books; records or documents, or any items into which such property has been transferred, deposited or placed, whether owned or held individually, jointly or severally for Defendants, regardless of the names in which

such items are held, except through the authority of the Temporary Receiver or his designees;

iv. Releasing, transferring, selling, assigning or asserting ownership of, in any manner, any claims or causes of action belonging to or asserted by Defendants, or any claims or causes of action which could be asserted by the Temporary Receiver,

including, but not limited to, any claims or causes of action for insurance and reinsurance proceeds; accounts receivable or debts, except through the authority of the Temporary Receiver or his designees;

v. Removing from the jurisdiction of this Court, or from the place of business of Defendants, any office equipment, furniture, fixtures, books, records or other property, of any kind or nature, whether real or personal, including, but not limited to, those items that have been acquired, purchased or paid for by Defendants, except through the authority of the Temporary Receiver or his designees;

vi. Interfering, in any way with these proceedings, or with the lawful acts of the Court's Temporary Receiver or his designees; and

vii. Making any claim, charge or offset, or commencing or prosecuting any action, appeal, or arbitration, including administrative proceedings, or obtaining any preference, judgment, attachment, garnishment, or other lien, or making any levy against Defendants, its property or any part thereof, or against the Temporary Receiver, except by doing so in the receivership proceedings.

b. **EACH OF YOU IS FURTHER SPECIFICALLY ORDERED** to make available and disclose to the Temporary Receiver or his designees the nature, amount, and location of any and all property of Defendants, including, but not limited to, any of the property listed

above, and immediately surrender all such property to the Temporary Receiver or his designees.

9. **Order to Financial Institutions Regarding Property of the Defendant.**

TO: Any and all banks, savings and loan associations; trust companies; credit unions; welfare trusts; or any other financial or depository institutions:

a. **EACH OF YOU is hereby ORDERED TO REFRAIN** from:

i. Transacting any business of Defendants in any manner except through the authority of the Temporary Receiver or his designees;

ii. Doing anything, directly or indirectly, to prevent the Temporary Receiver or his designees from investigating, gaining access to, examining or acquiring any and all records, property or other materials concerning TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of Defendants TIMOTHY TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA AND ROBERT BERNARD, JR., which is comprised of in any part from the soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, donations to the Museum or sales of any other items in its Museum;

iii. Disposing of, converting, dissipating, using, releasing, transferring, withdrawing, allowing to be withdrawn, selling, assigning, cancelling, hypothecating, offsetting, or concealing, in any manner, any property belonging to, payable to,

claimed by, or held for the benefit of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of Defendants TIMOTHY TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA AND ROBERT BERNARD, JR., which is comprised of in any part from the soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, donations to the Museum or sales of any other items in its Museum, whether such property is real, personal, or mixed, including, but not limited to, money; accounts; trust accounts; share accounts; stocks; bonds; funds; notes; deposits; letters of credit; safe deposit boxes; furniture; equipment; books; records or documents, or any items into which such property has been transferred, deposited or placed, whether owned or held individually, jointly or severally for Defendants, regardless of the names in which such items are held, except through the authority of the Temporary Receiver or his designees;

iv. Interfering, in any way with these proceedings, or with the lawful acts of the Court's Temporary Receiver or his designees; and

v. Making any claim, charge or offset, or commencing or prosecuting any action, appeal, or arbitration, including administrative proceedings, or obtaining any preference, judgment, attachment, garnishment, or other lien, or making any levy against Defendants, its property or any part thereof, or against the Temporary Receiver, except by doing so in the receivership proceedings.

b. **EACH OF YOU IS FURTHER SPECIFICALLY ORDERED** to make available and disclose to the Temporary Receiver or his designees the nature, amount, and location of any and all property of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of Defendants TIMOTHY TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA AND ROBERT BERNARD, JR., which is comprised of in any part from the soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, donations to the Museum or sales of any other items in its Museum, including, but not limited to, any of the property listed above, and immediately surrender all such properties to the Temporary Receiver or his designees. The Court further specifically finds and orders that the Temporary Receiver is vested by operation of law with title to the rights of Defendants as the customer of any financial institution.

10. **Order to All Other Parties.**

TO: Any and all other persons, associations, corporations, or any other legal entities including, but not limited to, the United States Postmaster, policyholders, debtors, creditors, claimants, insurers, reinsurers and intermediaries and attorneys asserting claims against TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC.:

a. **EACH OF YOU is hereby ORDERED TO REFRAIN** from:

i. Transacting any business of Defendants in any manner except through the authority of the Temporary Receiver or his designees;

ii. Doing anything, directly or indirectly, to prevent the Temporary Receiver or his designees from investigating, gaining access to, examining or acquiring any and all records, property or other materials concerning TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of

Defendants TIMOTHY TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA AND ROBERT BERNARD, JR., which is comprised of in any part from the soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, donations to the Museum or sales of any other items in its Museum, under whatever name they may be found;

iii. Disposing of, converting, dissipating, using, releasing, transferring, withdrawing, allowing to be withdrawn, selling, assigning, cancelling, hypothecating, offsetting, or concealing, in any manner, any property belonging to, payable to, claimed by, or held for the benefit of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of Defendants TIMOTHY TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA AND ROBERT BERNARD, JR., which is comprised of in any part from the soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, donations to the Museum or sales of any other

items in its Museum, whether such property is real, personal, or mixed, including, but not limited to, money; accounts; trust accounts; share accounts; stocks; bonds; funds; loans; notes; deposits; letters of credit; safe deposit boxes; furniture; equipment; books; records or documents, or any items into which such property has been transferred, deposited or placed, whether owned or held individually, jointly or severally for Defendants, regardless of the names in which such items are held, except through the authority of the Temporary Receiver or his designees;

iv. Interfering, in any way with these proceedings, or with the lawful acts of the Court's Temporary Receiver or his designees; and

v. Making any claim, charge or offset, or commencing or prosecuting any action, appeal, or arbitration, including administrative proceedings, or obtain any preference, judgment, attachment, garnishment, or other lien, or making any levy against Defendants, its property or any part thereof, or against the Temporary Receiver, except by doing so in the receivership proceedings.

b. **EACH OF YOU IS FURTHER SPECIFICALLY ORDERED** to make available and disclose to the Temporary Receiver or his designees the nature, amount, and location of any and all property of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any), or held in the name of or for the benefit of Defendants TIMOTHY TIERNEY, KENNETH LANE DENTON, MARK LOCKRIDGE, STEVEN JENKINS, RUBEN VILLALVA, JR., TED RIOJAS, FRED RIOJAS, GREGG GREER, JAMES COLUNGA AND ROBERT BERNARD, JR., which is comprised of in any part from the soliciting of donations, soliciting of magazine ads, sales of T-shirts and other such items, donations to the Museum

or sales of any other items in its Museum, including, but not limited to, any of the property listed above, and immediately surrender all such property to the Temporary Receiver or his designees.

11. **IT IS FURTHER ORDERED** that money coming into the possession of the Receiver and not expended for any of the purposes authorized herein shall be held by the Receiver subject to such orders as this Court may hereafter issue.

12. **IT IS FURTHER ORDERED** that the Receiver shall, within 60 days from the date this Order is signed by the Court, file in this action an inventory of all property of which the Receiver shall have taken possession. The inventory should include the market value of the property and liens, claims, encumbrances, or other security interest, if any, attaching to said property. If the Receiver subsequently comes into possession of additional property, the Receiver shall file a supplemental inventory as soon as practical.

13. **IT IS FURTHER ORDERED** that the Receiver shall, within 60 days from the date this Order is signed by the Court, file in this action an inventory of all outstanding debts, obligations, and liabilities of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or successors in interest, if any).

14. **IT IS FURTHER ORDERED** that the Receiver shall file in this action an income and expense report for each month (to be filed on or before the expiration of 20 days from end of the month reported) and an annual financial statement at the end of the fiscal or calendar year.

15. **IT IS FURTHER ORDERED** that, until further order of this Court, the Receiver,  is appointed as the agent (attorney-in-fact) to act for TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or successors in interest, if any) in any lawful way with respect to all the

following powers: real property transactions; personal property transactions; stock and bond transactions; commodity and option transactions; banking and other financial institution transactions; business operating transactions; insurance and annuity transactions; estate, trust and other beneficiary transactions; claims and litigation; and tax matters. This order shall be construed and interpreted as a general power of attorney and the Receiver, Harold Johnson, shall have the power and authority to perform or undertake any action that the Managing Members of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. (or its successor in interest, if any) could perform or undertake.

16. **IT IS FURTHER ORDERED** that the compensation ~~of the Receiver~~ <sup>of the Receiver</sup> is set at \$~~80~~<sup>80</sup> per hour for his staff time, \$~~200~~<sup>200</sup> per hour for his Senior Accountant, and \$~~250~~<sup>250.00</sup> per hour for his time, for the hours spent pertaining to the Receivership duties, payable by the Defendants jointly and severally. The Receiver's fee for each calendar month shall be payable on the 15<sup>th</sup> day of each succeeding calendar month. The Receiver is specifically authorized to utilize the services of a law firm of his choosing to assist in the recovery of assets of the estate or in other legal representation of the estate which shall be billed separately to the Defendants at an hourly rate not to exceed \$~~300~~<sup>300.00</sup>.

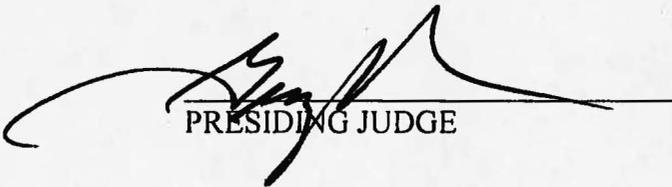
17. **IT IS FURTHER ORDERED** that all members, officers, employees, accountants, attorneys, representatives, consultants and anyone working in concert with the Defendants are **ORDERED** to transfer and deliver all property described above to the Receiver, the said members, officers, employees, accountants, attorneys, representatives, and consultants of TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. are **ORDERED** to cease and desist from accepting or collecting any moneys owed by any person

to TEXAS HIGHWAY PATROL MUSEUM, TEXAS HIGHWAY PATROL ASSOCIATION, THPA SERVICES, INC. except as permitted in writing signed by the Receiver.

18. **IT IS FURTHER ORDERED** that the STATE OF TEXAS shall be held harmless from and against any and all claims, demands, or causes of action (including claims for contribution or indemnity, claims for reasonable and necessary costs, claims for attorney's fees or receiver fees) that the Receiver or any third party has or may have arising out of or resulting from the appointment of the Receiver or the performance of the Receiver's duties.

19. **IT IS FURTHER ORDERED** that this receivership shall continue in effect until further order of this Court.

SIGNED this 14 day of December, 2011.

  
PRESIDING JUDGE

**APPROVED AS TO FORM AND SUBSTANCE:**

\_\_\_\_\_  
**KARYN A. MEINKE**  
SBN: 24032859  
Assistant Attorney General  
Consumer Protection and Public Health Division  
115 E. Travis, Suite 925  
San Antonio, Texas 78205-1615  
Telephone 210-225-4191  
Facsimile 210-225-1075  
**ATTORNEY FOR PLAINTIFF**  
**THE STATE OF TEXAS**