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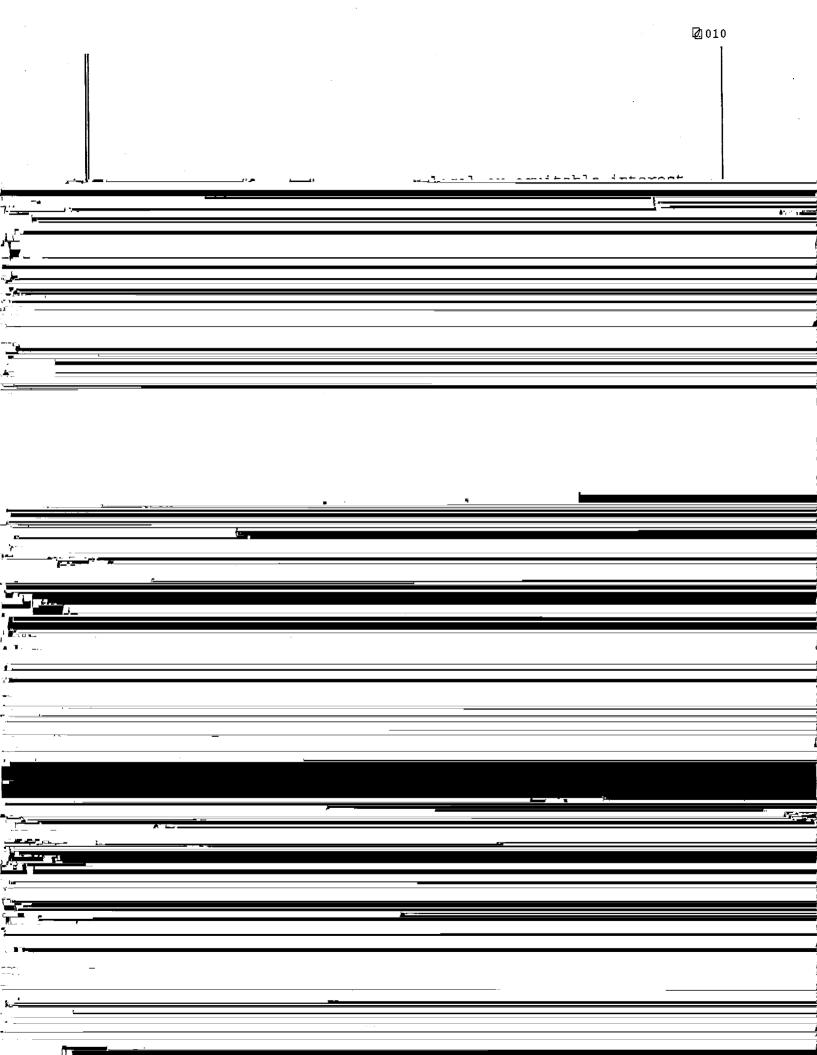
should not be granted pursuant to Rule 65(b) of the Federal Rules of Civil Procedure, and the Court, having considered the complaint, declarations, exhibits, and memorandum of law filed in support thereof, finds that:

- This Court has jurisdiction over the subject
 matter of this case, and there is good cause to believe
 that it will have jurisdiction over all parties hereto;
- There is good cause to believe that defendants

 MaxTheater, Inc. and Thomas L. Delanoy have engaged and are likely to engage in acts or practices that violate Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and that the plaintiff is therefore likely to prevail on

defendants due to the likelihood that advance notice of this action will cause the defendants to evade service of process and abscond with or destroy evidence. There is good cause for relieving the Commission of the duty to provide defendants with prior notice of the Commission's motion.

Weighing the equities and considering the plaintiff's likelihood of ultimate success, a temporary restraining order requiring an immediate accounting of assets, preserving business records, and providing



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scope to the usage of the term in Federal Rule of Civil Procedure 34(a), and includes writing, drawings, graphs, charts, Internet sites, Web pages, Web sites, electronic correspondence, including e-mail and instant messages, photographs, audio and video recordings, computer

G.

"'Anti-spyware' product" means any product,
however denominated, including but not limited to
"SpywareAssassin," that does or purports to
identify, monitor, remove, block, or otherwise
prevent spyware from residing on a computer.

CONDUCT PROHIBITIONS

I.

FINANCIAL REPORTS AND ACCOUNTING

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III.

IT IS FURTHER ORDERED that defendants Thomas Delanoy and MaxTheater, Inc., within one (1) day of the show cause hearing, shall:

- A. Provide the Commission with completed financial statements, verified under oath and accurate as of the date of entry of this Order, on the forms attached to this Order as Attachment A for individual defendant Thomas Delanoy and Attachment B for corporate defendant MaxTheater, Inc.;
- B. Provide the Commission with a full accounting,

 werified under oath and accurate as of the date of entry of this

1 accountant, financial planner, investment advisor, stock broker, 2 or other person who provided financial, business, or tax advice 3 or services since January 1, 2003; Provide the Commission with a full accounting, D.

personal income or property tax returns, and other documents or records of any kind that relate to the business practices or business or personal finances of the defendants.

RECORD KEEPING/BUSINESS OPERATIONS

v.

-- ar man appears that defendants Thomas Delanov

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