

JUN 13 2014

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

KAMALA D. HARRIS
Attorney General of California
KAREN LEAF
Senior Assistant Attorney General
NICHOLAS M. WELLINGTON
ERIN W. ROSENBERG
Deputy Attorneys General
State Bar No. 262377
1515 Clay Street, 20th Floor
P.O. Box 70550
Oakland, CA 94612-0550
Telephone: (510) 622-22137
Fax: (510) 622-2270
E-mail: Erin.Rosenberg@doj.ca.gov
Attorneys for the People of the State of California

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF HUMBOLDT

**THE PEOPLE OF THE STATE OF
CALIFORNIA, ex rel. Kamala D. Harris,
Attorney General of the State of California,**

Plaintiff,

v.

**ARDITH HUBER, individually, dba
HUBER ENTERPRISES, and DOES 1
through 20 inclusive,**

Defendants.

Case No. DR110232

**[PROPOSED] MODIFIED
PRELIMINARY INJUNCTION**

Dept: 8
Judge: Hon. W. Bruce Watson
Trial Date: November 3, 2014
Case Filed: March 8, 2011

Having considered the People's Motion for a Preliminary Injunction and all the factual materials and legal arguments presented by the parties and good cause appearing, and having issued a ruling on September 12, 2013, the Court hereby preliminary enjoins Defendant Ardith Huber individually and doing business as Huber Enterprises, and any and all of Defendant's directors, officers, employees, agents and persons acting in concert or participation with Defendant, from violating the California Cigarette Fire Safety and Firefighter Protection Act,

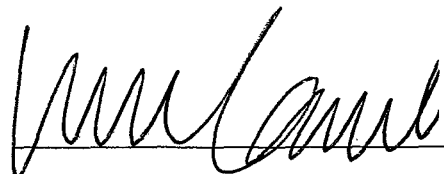
1 Health and Safety Code sections 14950 et seq., and specifically from selling, offering, or
2 possessing for sale cigarettes that are not in compliance with the requirements of this Act.
3 Defendant is not prohibited from selling, offering, or possessing for sale cigarettes that are not in
4 compliance with this Act if the sale, offer or possession for sale is to a member of the Wiyot
5 Tribe and the sale, offer or possession for sale occurs on the Table Bluff Reservation.

6 Having also considered the People's Request for Sanctions for Violating the Preliminary
7 Injunction and Motion for Preliminary Injunction and all the factual materials and legal
8 arguments presented by the parties and good cause appearing, and having found that modification
9 of the Preliminary Injunction is justified due to a material change in facts, specifically because
10 Defendant violated the Preliminary Injunction, and to serve the ends of justice, specifically to
11 prevent future violations of the Preliminary Injunction, the Court further orders:

- 12 1. That Defendant, within seven (7) days from the date of the modified injunction,
13 serve a copy of the modified injunction order on each of Defendant's current
14 directors, officers, employees, agents and persons over whom she has authority or
15 control that are acting in concert or participation with her (collectively, "enjoined
16 persons");
- 17 2. That Defendant train such persons on how to conduct sales so as not to violate the
18 modified injunction; and
- 19 3. That Defendant obtain and retain a signed statement from all enjoined persons
20 indicating that they have received and read a copy of the modified injunction and
21 agree to abide by it.

22
23 **IT IS SO ORDERED.**

24 DATED: 08/13/14



JUDGE OF THE SUPERIOR COURT

HON. WILLIAM LAMB

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