

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF CASS

EAST CENTRAL JUDICIAL DISTRICT

North Dakota Securities)
 Commissioner,)
)
 Plaintiff,)
)
 v.)
)
 Larry M. Atkins, Atkins Brokerage)
 Services, Inc., Retirement Planning)
 Concepts, Inc., Retirement Income)
 Planning, Inc., and Retirement)
 Navigation, Inc.,)
 Defendants.)

**EX PARTE ORDER FOR
 PRELIMINARY INJUNCTION AND
 PREHEARING WRIT OF ATTACHMENT**

CIVIL NO. 09-08-B-401

The Court, having received and considered Plaintiff's petition for a preliminary injunction pursuant to N.D.C.C. § 10-04-16(2) and a writ of attachment pursuant to N.D.C.C. § 32-08.1-02.1, as well as the affidavit and brief filed in support thereof, hereby finds that:

1. This Court has jurisdiction in the matter presented herein pursuant to N.D.C.C. § 10-04-16(2) and is authorized to issue a preliminary injunction and to issue a writ of attachment pursuant to N.D.C.C. § 32-08.1-02.1.

2. Because the preliminary injunction is sought by the Securities Commissioner on behalf of the State of North Dakota to enforce laws affecting the public interest, Plaintiff is not required to plead or prove immediate and irreparable injury, however, the Plaintiff has provided evidence that such immediate and irreparable injury to investors in North Dakota will occur. Further, the Plaintiff has shown that she is likely to succeed on the merits in any administrative appeal filed in conjunction with this action or any order for rescission.

3. The Plaintiff has provided evidence that grounds for a prehearing writ of attachment under N.D.C.C. § 32-08.1-03(1)(b)(c) and (d) exist and Plaintiff is entitled to

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4.

a writ of attachment under N.D.C.C. § 32-08.1-02.1, as set forth in the Writ of Attachment issued this date.

4. The Plaintiff is not required to provide a security bond.

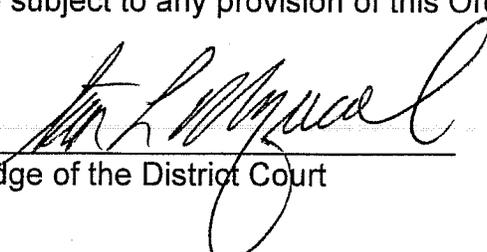
IT IS THEREFORE ORDERED:

That Defendants, whether acting directly or through any agent, employee, partner, officer, director, subsidiary, division or other device, be and hereby are restrained and enjoined from:

1. Offering for sale or selling in North Dakota the subject investment, promissory notes, or any other investment interest however denominated, unless and until such investment has been registered with the Securities Commissioner.
2. Offering for sale or selling investments in North Dakota unless and until they have registered with the Securities Commissioner as broker-dealers or agents.
3. Engaging in any investment advisory activities unless and until they have registered with the Securities Commissioner as investment advisors or investment advisor representatives.
4. Engaging in any scheme or artifice to defraud investors, or otherwise engaging in a fraudulent or deceptive act while offering for sale or selling securities or investments in North Dakota or to North Dakota residents.

IT IS FURTHER ORDERED that copies of this order may be served upon any financial institution or person that may be in possession of any assets, property, or property right of Defendants, or that may be subject to any provision of this Order.

Dated this 22nd day of April, 2008.



Judge of the District Court