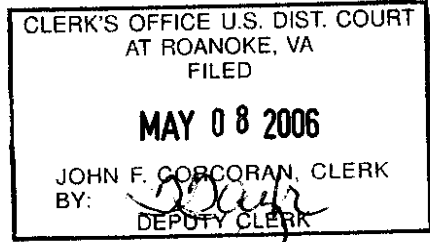


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION



HARGRAVE MILITARY ACADEMY, and )  
 )  
WHEELER M. BAKER, Ph.D., )  
 )  
 )  
Plaintiffs, )  
v. )  
 )  
JERRY GUYLES, and )  
 )  
 )  
MELISSA GUYLES, )  
 )  
 )  
Defendants. )

Case Number: 7:06-cv-00283

ORDER

AND NOW, this 8<sup>th</sup> day of May, 2006, upon consideration of the Complaint, the Motion for Temporary Restraining Order and the supporting memorandum filed by counsel for Plaintiffs Hargrave Military Academy ("Hargrave") and Wheeler M. Baker ("Baker"), and a finding by the Court that:

1. Plaintiffs have suffered and will continue to suffer substantial and irreparable injury, as a result of Defendants' wrongful conduct as alleged in Plaintiffs' Complaint and set forth in the Declaration of Baker.
2. Plaintiffs have no adequate remedy at law.
3. As to each item of relief granted to Plaintiffs herein, greater injury will be inflicted upon Plaintiffs by the denial of such relief than will be inflicted upon Defendants by the granting of such relief.
4. If this Order is granted, the injury, if any, to Defendants herein if final judgment is entered in their favor, shall be adequately indemnified by bond.

IT IS THEREFORE ORDERED that:

Defendants and their agents, representatives, employees and any other person acting to their benefit, on their behalf or in active concert and participation with any of them, are restrained and enjoined from the following:

- a. continuing to operate the website HargraveHasProblems.com and/or from creating any other websites which disparage, defame, vilify, and/or contain false statements concerning Baker, Hargrave, and/or its administration, faculty, staff, and students;
- b. continuing to solicit, contact or otherwise communicate with any parents or guardians of current, former, or prospective Hargrave students or any other persons or entities for the purpose of interfering or continuing to interfere with Hargrave's contractual relationships and/or expectancies;
- c. contacting by letter, email, phone or any other form of communication any parents or guardians of current, former, or prospective Hargrave students, or other persons or entities regarding false complaints about Baker, Hargrave and/or its administration, faculty, staff, and students for the purpose of (i) dissuading parents of prospective students from enrolling their children at Hargrave; (ii) convincing parents of current students not to re-enroll their children at Hargrave; (iii) soliciting other parents of former or current Hargrave students to concoct and disseminate baseless allegations against Baker and/or Hargrave, and join the Defendants

vendetta against Hargrave and Baker; and (iv) damaging and/or injuring Hargrave and/or Baker in their reputation, trade or business;

- d. directly contacting or harassing Baker, and/or any other member of Hargrave's administration, faculty or staff.
- e. attending events for prospective or current students or alumni of Hargrave including, but not limited to, the Cary recruitment session for prospective students scheduled for June 7, 2006 at the Holiday Inn;
- f. attending any Hargrave sponsored events including events on and off campus;
- g. visiting Hargrave's campus; and
- h. continuing to make false statements or take unlawful actions that otherwise damage Baker or Hargrave in their reputation, trade and/or ability to conduct their business.

The hearing on Plaintiff's Motion for Preliminary Injunction will be heard on May 17<sup>th</sup>, 2006 at 11 o'clock a.m., in Roanoke Virginia.

This Temporary Restraining Order will continue until such time or until further Order of this Court.

Done on this 8<sup>th</sup> day of May, 2006 in Roanoke, Virginia. *at 3:10 P.M.*

*Jr.* James C. Smith  
United States District Judge

We request entry:



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