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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

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CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

DIRECTV, INC., a California corporation,

Plaintiff,

-vs-

Case No. 6:03-cv-526-Orl-19DAB

CHARLES MOSCOE, a foreign national,
d/b/a DECODERNEWS.COM; et al.,

Defendants.

ORDER GRANTING PLAINTIFF'S
EX PARTE MOTION FOR
(1) TEMPORARY RESTRAINING ORDER, AND (2) ORDER TO SHOW CAUSE
(RE: ASSET FREEZE)

THIS MATTER comes before the Court upon Plaintiff's *Ex Parte* Motion for (1) Temporary Restraining Order, and (2) Order to Show Cause (re: Asset Freeze) (Doc. 11) pursuant to the Digital Millennium Copyright Act, 17 U.S.C. § 1203(c)(2), the Federal Communications Act, 47 U.S.C. § 605(e)(3)(C)(i)(I), the Electronic Communications Privacy Act, 18 U.S.C. § 2520(c)(2), Federal Rule of Civil Procedure 64 and state law as incorporated herein. Having reviewed the materials submitted, including the Declaration of William W. Duke, the Declaration of Grant Ubl, the First Declaration of Michael E. Houck, and the Second Declaration of Michael E. Houck, and being fully advised, the Court hereby GRANTS Plaintiff's Motion as follows:

(1) Pursuant to Federal Rules of Civil Procedure 64 and 65 and the federal statutes listed below, the Court GRANTS Plaintiff's Motion without notice because the Court finds that giving prior notice in this action would create a real and substantial risk that Defendants will secret or transfer beyond the jurisdiction of the Court the assets that are the subject of Plaintiff's Motion and take other action detrimental to the relief ordered hereunder.

I certify the foregoing to be a true
and correct copy of the original.

SHERYL LOESCH, Clerk
United States District Court
Middle District of Florida

By: *[Signature]*
Deputy Clerk

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(2) Pursuant to Federal Rules of Civil Procedure 64 and 65 and the federal statutes listed below, the Court GRANTS Plaintiff's Motion for a Temporary Restraining Order because the Court finds that Plaintiff has shown (a) there is a substantial likelihood of success on the merits, (b) irreparable injury will be suffered unless the injunction issues, (c) the threatened injury to Plaintiff is greater than any damage the proposed injunction may cause Defendants, and (d) the injunction will not disserve the public interest. *Carillon Importers, Ltd. v. Frank Pesce Int'l Group Ltd.*, 112 F.3d 1125, 1126 (11th Cir. 1997).

(3) In addition to its authority under Federal Rules of Civil Procedure, this Court is authorized to freeze Defendants' assets under the federal statutes upon which this action is brought. See Digital Millennium Copyright Act, 17 U.S.C. § 1203(c)(2); Federal Communications Act, 47 U.S.C. § 605(e)(3)(C)(i)(I); Electronic Communications Privacy Act, 18 U.S.C. § 2520(c)(2). The statutes at issue in this case expressly authorize the award of Defendants' "profits" as one element of damages for violations of those statutes.

(4) Plaintiff has asserted its right to equitable relief under Florida law to have a constructive trust imposed over the subject accounts containing the proceeds of illegal signal piracy activities. The contents of these accounts form the corpus of this trust and substantial authority exists for an order freezing these accounts in order to preserve the trust corpus and protect Plaintiff's rights to its equitable remedy.

(5) For the foregoing reasons, the Court hereby GRANTS Plaintiff's Motion for a Temporary Restraining Order freezing the on-line electronic payment accounts owned by or maintained for the benefit of Defendants Charles Moscoe, Ken Compton, Tim Weaver, Harry Kassabian, Addila K. Gyurko, Joseph T. DiValerio, Michael L. Fuller, Michael Knott, Kenneth Ferrigno, Tracy Young, Doug Young, Joseph Caldara, Elias Rivera, Dan Madore, Dan Mackincosh, Kenneth Mackincosh, Brandy Hudkins, Chuck Jones, Jane Doe Jones, Benjamin

Fox, Michael Rimmer, Bryan Reese, JJ Inc., Paul Davidson, Dataphd, Inc., Mark White and InterNet Business Concepts.

(6) The Court hereby ENJOINS Defendants, and any persons or entities acting on Defendants' behalf, from withdrawing, disbursing, paying, encumbering, secreting or transferring any funds or other assets held in the following accounts:

(a) PayPal Accounts

1. The PayPal Account in the name of "wrench17@optonline.net," or any other accounts owned or maintained for the benefit of Defendant Joseph Caldara.
2. The PayPal Account in the name of "Sales@DocLegal.com," or any other accounts owned or maintained for the benefit of Defendants Mark White or InterNet Business Concepts.
3. The PayPal Account in the name of "mrimmer1@midsouth.rr.com," or any other accounts owned or maintained for the benefit of Defendant Michael Rimmer.
4. The PayPal Account in the name of "Jim51109@aol.com," or any other accounts owned or maintained for the benefit of Defendant JJ Inc.
5. The PayPal Account in the name of "bolynn@hotmail.com," or any other accounts owned or maintained for the benefit of Defendant Brandy Hudkins.
6. The PayPal Account in the name of "rockman@hardcoreddscoders.com," or any other accounts owned or maintained for the benefit of Defendants Dan Madore, Dan Mackincosh or Kenneth Mackincosh.

7. The PayPal Account in the name of "enjoyoutlaw@hotmail.com," or any other accounts owned or maintained for the benefit of Defendants Dan Madore, Dan Mackincosh or Kenneth Mackincosh.

8. The PayPal Account in the names of "orders@sat-toys.com" or "PAYPAL *PPAL DSS," or any other accounts owned or maintained for the benefit of Defendants Harry Kassabian or Addila K. Gyurko.

9. The PayPal Account in the names of "orders@dssbestbuy.com" or "PAYPAL *PPAL DSS," or any other accounts owned or maintained for the benefit of Defendants Harry Kassabian or Addila K. Gyurko.

10. The PayPal Account in the name of "neutron@radiation.tv," or any other accounts owned or maintained for the benefit of Defendant Ken Compton.

11. The PayPal Account in the names of "webmaster@hackp4.com" or "Hackp4.com," or any other accounts owned or maintained for the benefit of Defendant Tim Weaver.

12. The PayPal Account in the names of "paypal@dssbeginners.com," "dssbeginners" or "PAYPAL *DSSBEGINNER," or any other accounts owned or maintained for the benefit of Defendant Tim Weaver.

13. The PayPal Account in the names of "games@pantieswet4u.com" or "Bubba," or any other accounts owned or maintained for the benefit of Defendant Joseph T. DiValerio.

14. The PayPal Account in the name of "cbum_1@hotmail.com," or any other accounts owned or maintained for the benefit of Defendant Michael L. Fuller.

15. The PayPal Account in the names of "paymentcontrol@yahoo.com" or "TCS Accounting Service," or any other accounts owned or maintained for the benefit of Defendants Chuck Jones or Jane Doe Jones, doing business as "TCS Accounting Service."

16. The PayPal Account in the names of "DSScripts.com" or "PAYPAL *DSSCRYPTSCO," or any other accounts owned or maintained for the benefit of Defendants Chuck Jones or Jane Doe Jones, doing business as "TCS Accounting Service."

17. The PayPal Account in the names of "Sat Base" or "PAYPAL *SAT BASE," or any other accounts owned or maintained for the benefit of Defendants Chuck Jones or Jane Doe Jones, doing business as "TCS Accounting Service."

18. The PayPal Account in the name of "kwickcuts@yahoo.com," or any other accounts owned or maintained for the benefit of Defendant Bryan Reese.

19. The PayPal Account in the names of "nlbreid@hotmail.com" or "PAYPAL *VIRTUAL," or any other accounts owned or maintained for the benefit of Defendants Doug Young or Tracy Young.

20. The PayPal Account in the name of "mgrfromca2000@netzero.net," or any other accounts owned or maintained for the benefit of Defendant Elias Rivera.

21. Any PayPal Accounts linked to, or owned or maintained for the benefit of, any of the Internet sites listed in Exhibit A.

(b) 2CheckOut Accounts

1. The 2CheckOut Account in the name of "call745.com," or any other accounts owned or maintained for the benefit of Defendant Elias Rivera.

2. The 2CheckOut Account in the names of "Decoder News" or "www.decodernews.com," or any other accounts owned or maintained for the benefit of Defendants Charles Moscoe or Ken Compton.

3. The 2CheckOut Account in the name of "hackp4.com," or any other accounts owned or maintained for the benefit of Defendant Tim Weaver.

4. The 2CheckOut Account in the names of "beginners" or "www.dssbeginners.com," or any other accounts owned or maintained for the benefit of Defendant Tim Weaver.

5. The 2CheckOut Account in the names of "Islandss" or "www.islandss.com," or any other accounts owned or maintained for the benefit of Defendant Brandy Hudkins.

6. Any 2CheckOut Accounts linked to, or owned or maintained for the benefit of, any of the Internet sites listed in Exhibit A.

(c) PaySystems Accounts

1. The PaySystems Account in the name of "Sat-Toys," or any other accounts owned or maintained for the benefit of Defendants Harry Kassabian or Addila K. Gyurko.

2. The PaySystems Account in the name of "Decoder News," or any other accounts owned or maintained for the benefit of Defendants Charles Moscoe or Ken Compton.

3. The PaySystems Account in the names of "T4 Solutions" or "www.dishbuddy.com," or any other accounts owned or maintained for the benefit of Defendant Tim Weaver.

4. The PaySystems Account in the names of "T4 Solutions" or "www.dssbadboys.com," or any other accounts owned or maintained for the benefit of Defendant Tim Weaver.

5. The PaySystems Account in the names of "Joey Ltd" or "Dime Dealer," or any other accounts owned or maintained for the benefit of Defendants Joseph T. DiValerio or Michael L. Fuller.

6. The PaySystems Account in the name of "Pinnacle3m," or any other accounts owned or maintained for the benefit of Defendants Chuck Jones or Jane Doe Jones, doing business as "TCS Accounting Service."

7. The PaySystems Account in the name of "Bohemian Logistics," or any other accounts owned or maintained for the benefit of Defendants of Defendants Chuck Jones or Jane Doe Jones, doing business as "TCS Accounting Service."

8. Any PaySystems Accounts linked to, or owned or maintained for the benefit of, any of the Internet sites listed in Exhibit A.

(d) StormPay Accounts

1. The StormPay Account in the name of "support@canadianhu.net," or any other accounts owned or maintained for the benefit of Defendant Elias Rivera.

2. The StormPay Account in the name of "payments@sat-pal.com," or any other accounts owned or maintained for the benefit of Defendants Joseph T. DiValerio or Michael L. Fuller.

3. Any StormPay Accounts linked to, or owned or maintained for the benefit of, any of the Internet sites listed in Exhibit A.

(7) All funds or other assets in the identified accounts shall remain frozen pending further order of this Court.

(8) PayPal, 2CheckOut, PaySystems and StormPay are directed to provide a preliminary accounting within five business days of the funds or other assets in each of the identified accounts, and shall furnish the accounting to the individual account holders and to Plaintiff's counsel.

(9) Pursuant to Federal Rule of Civil Procedure 65(c), Plaintiff DIRECTV is directed to post a bond in the amount of \$50,000.00 within five days of this order and shall maintain said bond pending the Show Cause Hearing or further order of this Court.

(10) Defendants and any persons or entities claiming an interest in the accounts frozen by this Temporary Restraining Order are ORDERED to appear before the Honorable Patricia A. Fawcett, United States District Judge, on May 12, 2003, at 9:00 A.M., in Courtroom #1, George C. Young United States Courthouse and Federal Building, 80 North Hughey Avenue, Orlando, Florida and Show Cause why a preliminary injunction should not issue that continues the prohibitions set forth herein pending the trial in this action. Defendants shall serve and file any papers in opposition to the entry of a preliminary injunction by 4:00 P.M. on May 8, 2003.

(11) Plaintiff shall serve upon Defendants, by the most expeditious means available, a copy of the Complaint, Motions, Memoranda and Exhibits filed herein, together with a copy of this Order.

DONE and ORDERED in Chambers, Orlando, Florida this 30 day of April, 2003.


GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel of Record

H/30/03
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EXHIBIT A

www.baddude.net
www.canadianhu.net
www.dss-gadgets.com
www.dssadvocates.com
www.nolecountry.net (IP 64.141.47.169)
www.sccentre.com
www.islandssftp.com
www.islandss.com
www.hardcoredsscoders.com
www.outlaw3mgroup.com
www.dynamicdss.com
www.call745.com
www.dss-stream.com
www.dss-warehouse.com
www.dssanonymous.com
www.dssbestbuy.com
www.dssworld.org
www.hack100.com
www.hack100forums.com
www.sat-toys.com
www.decodernews.com
www.decoder50.com
www.dave.tv

www.dsselectronics.com
www.bigdaddyiso.com
www.dishbuddy.com
www.dssbadboys.com
www.dssbeginners.com
www.hackp4.com
www.topsatsite.com
www.chuddhack.com
www.huabc.com
www.huabc.net
www.dss-tek.com
www.dss-xp.com
www.sat-pal.com
www.dssxtreme.com
www.searchingforsignal.com
www.dimeddealer.com
www.dsscrysps.com
www.dssnapster.com
www.dsstoronto.ca
www.dsswriters.com
www.glitchbyte.com
www.ins54.com
www.pinnacle3m.com
www.piratesatellite.net
www.powergrid7.com

www.satbase.com

www.wildcatsdsssite.com

www.dsshhorizon.com

www.darkside.cx

www.virtualdss.com

www.alphahu.com

www.privatehufiles.com

www.easyloader.com

www.alltvteam.com

www.loaderdepot.com

www.justhackit.com

www.hcard.org

www.bahamashosting.com

www.sitelogichardware.com

www.dildoworld.net/dildos/4U/andme/forums