

1 KEVIN V. RYAN (CSBN 118321)  
 United States Attorney  
 2  
 3 JOANN M. SWANSON (CSBN 88143)  
 Chief, Civil Division  
 4  
 5 STEVEN J. SALTIEL (CSBN 202292)  
 Assistant United States Attorney  
 6  
 7 450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102  
 Telephone: (415) 436-6996  
 FAX: (415) 436-6748

8 Attorneys for Plaintiff

9  
 10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,	)	No. C 05-02730 WHA
14 Plaintiff,	)	<b>ORDER TO SHOW CAUSE RE:</b>
15 v.	)	<b>PRELIMINARY INJUNCTION</b>
16 DALE SCOTT HEINEMAN and KURT F.	)	[Fed. R. Civ. P. 65; 18 U.S.C. § 1345]
17 JOHNSON, d/b/a THE DOREAN GROUP,	)	
18 THE OXFORD TRUST and UNIVERSAL	)	
TRUST,	)	
19 Defendants.	)	

20 To Defendants DALE SCOTT HEINEMAN and KURT F. JOHNSON  
 21 YOU ARE HEREBY ORDERED TO SHOW CAUSE at 1:00 pm on August 1, 2005, or as  
 22 soon thereafter as counsel may be heard, before the Hon. William Alsup in the United  
 23 States Courthouse, Courtroom 9, 450 Golden Gate Avenue, San Francisco, CA 94102, why  
 24 you, your officers, agents, brokers and employees, should not be restrained and enjoined pending  
 25 trial of this action from further violating 18 U.S.C. § 1341 (Mail Fraud), 18 U.S.C. § 1343 (Wire  
 26 Fraud), and 18 U.S.C. § 1344 (Bank Fraud) through your "mortgage elimination" program, and  
 27 from alienating or disposing of property obtained as a result of said violations.

28 \

TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE  
 No.

1 PENDING THE HEARING of the aforesaid Order to Show Cause, you, your officers, agents,  
2 brokers, attorneys and employees are HEREBY RESTRAINED AND ENJOINED from the  
3 following:

4 (A) Engaging in any activities related to their mortgage elimination scheme,  
5 including:

- 6 (1) Advertising their debt elimination services via the Internet, telephone, or  
7 any other wire communication, or by mail (whether by commercial carrier  
8 or United States Postal Service carrier), to any individual and/or any  
9 entity;
- 10 (2) Soliciting or receiving fees from any individual or entity;
- 11 (3) Creating any trusts, or entering any trust agreements;
- 12 (4) Delivering, sending, mailing, or wiring “presentment packets” to lenders,  
13 or any documents that purport to appoint themselves as the lender’s agent  
14 or attorney-in-fact, or that demand that the lender acquiesce in the scheme;
- 15 (5) Filing or recording any documents with any county clerk, or county  
16 recorder’s office, or registers of deeds;
- 17 (6) Receiving proceeds from refinanced loans and/or sale of properties to  
18 which defendants have applied their mortgage elimination program;
- 19 (7) Offering, providing, and/or sharing of advice, including but not limited to  
20 seminars, tutorials, and conferences, relating in any way to the Dorean  
21 Group’s practices.

22 (B) Withdrawing, transferring, removing, dissipating, and disposing of property  
23 obtained as a result of its fraudulent conduct, and freezing defendants’ assets that  
24 they obtained as a result of the fraud, including funds in the following back  
25 accounts:

26 Account No. 03916839  
27 Account Name: Lasting Legacy Trust  
28 Fremont Bank  
32000 Alvarado Boulevard  
Union City, California 94587

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Account No. 03916847  
Account Name: Cancer-Free Trust  
Fremont Bank  
32000 Alvarado Boulevard  
Union City, California 94587

This Order to Show Cause and supporting papers must be served on defendant no later than July 8, 2005. Any response or opposition to this Order to Show Cause must be filed and served on plaintiff's counsel on or before July 18, 2005. The Government may reply by July 25, 2005.

DATED: July 6, 2005

UNITED STATES DISTRICT JUDGE