

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

IN THE COURT OF COMMON PLEAS

CASE NO.: 06-CP-07-1658

D.R. Horton, Inc.,)
)
Plaintiff,)

TEMPORARY RESTRAINING ORDER

v.)

David Champoux, the Trotters)
Circle Coalition a/k/a the Trotters)
Circle Committee, and All)
Persons Acting in Concert)
Therewith,)
)
Defendants.)

2006 JUN 30 PM 4:34
BEAUFORT COUNTY
CLERK OF COURT
BEAUFORT, S.C.

THIS MATTER comes before the Court upon D.R. Horton, Inc.'s ("DRHI" or "Plaintiff") motion for a temporary restraining order against the above-named Defendants, David Champoux, the Trotters Circle Coalition a/k/a the Trotters Circle Committee, and All Persons Acting in Concert Therewith. The motion was brought pursuant to Rule 65(b) of the South Carolina Rules of Civil Procedure. Because of the emergent nature of Plaintiff's need for a temporary restraining order, the Court determines that any attempt by DRHI to contact the Defendants would have been fruitless.

It appears to the Court, based upon the Verified Complaint and corresponding affidavit and exhibits, that Defendant David Champoux has threatened to engage in picketing and disparaging public comment against DRHI for the purpose of and with the intent to obtain money or some other thing of value from DRHI. DRHI would suffer immediate and irreparable harm, loss and damage to DRHI before notice could be served and a hearing held for preliminary or permanent injunction. Such damage far outweighs the risk of harm to Defendant as the result

of the injunction. Since the threatened conduct constitutes a criminal act, injunctive relief is in the public interest.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Plaintiff has met the requirements necessary for this Court to issue a Temporary Restraining Order, and Defendant David Champoux is hereby temporarily restrained and enjoined from: picketing, demonstrating, or engaging in any disparaging public comment against DRHI on or around: (1) the developments known as Mill Creek and the Traditions at Old Carolina in Beaufort County; (2) the Old Carolina golf course; (3) any other development in which DRHI has built or is in the process of building residential homes; and (4) any golf course or other recreational amenity associated with any such development.

The restriction imposed by this Temporary Restraining Order shall remain in full force and effect until Plaintiff's Motion for Temporary Injunction can be heard before the undersigned on July 7, 2006, at 4:00 p.m., in the Beaufort County courthouse, or until otherwise ordered by this Court.

The Plaintiff is hereby ordered to post a cash bond in the amount of One Hundred and no/100 (\$100.00) Dollars as required by Rule 65, S. C. R. C. P.

AND IT IS SO ORDERED.



Curtis L. Coltrane, Master In Equity and
Special Circuit Judge,

Beaufort, South Carolina
June 30, 2006

Hour of Issuance: 4:31 P. M., June 30, 2006.

LEAST Restrictive? Heightened Scrutiny?
T/P/M?
Speech Regulation?

STATE OF SOUTH CAROLINA)
)
 COUNTY OF BEAUFORT)
)
 D.R. Horton, Inc.,)
)
 Plaintiff,)
)
 v.)
)
 Reynaldo Melendez and All)
 Persons Acting in Concert)
 Therewith,)
)
 Defendants)
)

IN THE COURT OF COMMON PLEAS
 FOURTEENTH JUDICIAL CIRCUIT
 CASE NO.: 2006-CP-07-2224
 ORDER GRANTING
 TEMPORARY INJUNCTION

2006 SEP 14 PM 2:38
 BEAUFORT COUNTY
 CLERK OF COURT
 BEAUFORT, S.C.

THIS MATTER came before me on this date pursuant to D.R. Horton, Inc.'s ("DRHI" or "Plaintiff") motion for a temporary injunction against the above-named Defendants, Reynaldo Melendez and All Persons Acting in Concert Therewith ("Defendants"). A hearing was held before the Honorable Edward W. Miller on September 6, 2006 and was attended by counsel for Plaintiff. An ex parte order granting a temporary restraining order in this matter was entered by the Court at 10:45 a.m. on September 6, 2006 and was thereafter served on Defendant Reynaldo Melendez on September 7, 2006 at approximately 8:00 p.m., along with Plaintiff's Verified Complaint and corresponding Affidavits, and Motion for Temporary Restraining Order and Temporary Injunction.

A hearing was set on Plaintiff's motion for a temporary injunction and on September 11, 2006, counsel for Plaintiff appeared before me pursuant to this motion. Defendant Reynaldo Melendez was also in attendance at this hearing, appearing Pro Se. Plaintiff provided the Court with the Verified Complaint and corresponding Affidavits, and Motion for Temporary Restraining Order and Temporary Injunction. Defendant Reynaldo Melendez provided sworn testimony to the Court in lieu of presenting affidavits to the Court.

It appears to the Court, based upon the Verified Complaint, corresponding Affidavits, testimony and argument of counsel, that Defendant Reynaldo Melendez may have threatened to

en # 1 of 2

engage in picketing and making disparaging public comments against DRHI with the intent to obtain money or some other thing of value from DRHI, and did in fact picket and make disparaging comments against DRHI in a public forum. Such conduct would likely result in blackmail pursuant to S.C. Code Ann. Sec. 16-17-640 (2005). I find that this injunction is necessary to prevent further injury, loss or damage to Plaintiff therefore, and as Defendant Reynaldo Melendez's conduct may be unlawful and in violation of the public policy of this State, injunctive relief is furthermore in the public interest.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that a Temporary Injunction be issued in this matter against the Defendants. Defendant Reynaldo Melendez and All Persons Acting in Concert Therewith are hereby temporarily enjoined from: picketing, demonstrating, or engaging in any disparaging public comments against DRHI.

The restriction imposed by this Temporary Injunction shall remain in full force and effect until a final determination by the Court on the merits of this action, or until otherwise ordered by this Honorable Court

AND IT IS SO ORDERED!



The Honorable Curtis L. Coltrane
Master-in-Equity and Special Circuit Judge

Beaufort, South Carolina

September 14, 2006

-2-
m#zdz





MASTER IN EQUITY

Post Office Drawer 1228
Beaufort, South Carolina 29901-1228

(843) 470-5297
Fax: (843) 470-5288

April 7, 2009

Patrick Missud, Esq.
91 San Juan Ave.
San Francisco, CA 94112

Re: Letters to Judge Coltrane

Dear Mr. Missud:

Please allow this correspondence to update you on the retirement of Judge Curtis Coltrane, as the Beaufort County Master in Equity. He is no longer practicing law nor is he with this office any longer. He now works for the Town of Hilton Head Island, South Carolina. His new mailing address is 1 Town Center Court, Hilton Head, SC 29928. Please direct your correspondence to his new address, as provided.

Thanking you in advance for your cooperation, I am

Sincerely,

Heather R. H. McLeod
Judicial Assistant to
Hon. Marvin H. Dukes, III
Beaufort County Master In Equity
(843) 470-5297
hmcleod@charter.net

HRHM/mhd