



2. These actions constitute immediate and irreparable harm to the Plaintiff, and will continue to cause immediate and irreparable harm to the Plaintiff unless relief is granted; and
3. Therefore, the Plaintiff is entitled to a TRO and other equitable relief enjoining the Defendant from further violations of Art. I, Sect. 8, Cl. 3 of the U.S. Constitution; the 5th and 10th Amendments to the U.S. Constitution; the Federal Trade Commission Act; and the progeny of *Parker v. Brown*, 317 U.S. 341 (1943).

**WHEREFORE**, the State Board respectfully requests that the Court grant its motion for a TRO and other Equitable Relief, and enter the State Board's TRO against the Defendant.

This the 2nd day of February, 2011.

/s/ Noel L. Allen

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