

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO

FAST CASH OF AMERICA, INC., et al.,

Plaintiffs,

v.

JOHN B. REARDON, in his official capacity
as Superintendent,
OHIO DEPARTMENT OF COMMERCE,
DIVISION OF FINANCIAL
INSTITUTIONS,

Defendant.

Case No. 10 CVH 04 6308

JUDGE Schneider

TEMPORARY RESTRAINING ORDER

This matter came on for hearing to consider plaintiffs' Motion for Preliminary Injunction or Alternatively, Motion for Temporary Restraining Order. After considering the respective legal memoranda submitted by the parties and argument by counsel, the Court finds:

1. Defendant has received notice of plaintiffs' motion for temporary restraining order.
2. It is likely that plaintiffs will succeed on the merits of their claim for declaratory judgment that OAC 1301:8-8-04(C)(5) conflicts with Ohio's Check-Cashing Businesses Act, R.C. 1315.21-30 (the "Statute") and is, therefore, invalid.
3. The Court further finds that plaintiffs will suffer irreparable harm in the event that a temporary restraining order is not issued, and that plaintiffs have no adequate remedy at law.
4. The Court further finds that the remaining tests for issuance of a temporary restraining order have been satisfied.

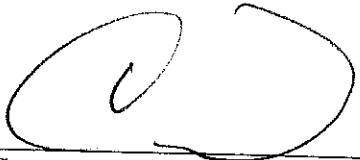
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CLERK OF COURTS
COMMON PLEAS COURT
FRANKLIN CO, OHIO

For the foregoing reasons, Plaintiffs' motion for temporary restraining order is GRANTED. It is ORDERED that defendant and the Ohio Department of Commerce, Division of Financial Institutions are hereby restrained and enjoined from:

- A. enforcing OAC 1301:8-8-04(C)(5), which but for this Order would become effective on May 1, 2010, against any licensee under the Statute relating to any transaction undertaken prior to this Court's final adjudication of the legality and validity of the rule; and
- B. from imposing any penalty on any licensee under the Statute for charging a check-cashing fee in contravention of OAC 1301:8-8-04(C)(5) relating to any transaction undertaken prior to this Court's final adjudication of the legality and validity of the rule.

Bond is set at Five Hundred Dollars (\$500.00). This Order shall become effective immediately upon plaintiffs posting the bond, and shall continue in full force and effect until further order of this Court after the hearing and decision on plaintiffs' motion for preliminary injunction.

IT IS SO ORDERED.



Common Pleas Judge