

TRADEMARK ASSIGNMENT

Electronic Version v1.1
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SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Ex Parte Order for Writ of Possession		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
S SPIRITS, LLC		01/30/2006	LIMITED LIABILITY COMPANY: CALIFORNIA
RECEIVING PARTY DATA			
Name:	SR HOLDINGS, LLC		
Street Address:	5291 N. Camino Sumo		
City:	Tucson		
State/Country:	ARIZONA		
Postal Code:	85718		
Entity Type:	LIMITED LIABILITY COMPANY: KENTUCKY		
PROPERTY NUMBERS Total: 4			
Property Type	Number	Word Mark	
Registration Number:	2887569	SMOOTH WILL NEVER BE THE SAME	
Serial Number:	76530134	S	
Serial Number:	76530135	S	
Serial Number:	78437789	S GUARO	
CORRESPONDENCE DATA			
Fax Number:	(520)882-7643		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	520-882-7623		
Email:	smckniff@hayes-soloway.com		
Correspondent Name:	Norman P. Soloway		
Address Line 1:	3450 E. Sunrise Drive, Suite 140		
Address Line 4:	Tucson, ARIZONA 85718		
ATTORNEY DOCKET NUMBER:	SPIRITS/TM-101 US		
NAME OF SUBMITTER:	Norman P. Soloway		

OP \$115.00 2887569

Signature:

/norman p. soloway/

Date:

09/27/2006

Total Attachments: 3

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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): David I. Brownstein, Esq. (SBN 195393) Brownstein & Brownstein, LLP 15910 Ventura Blvd., Suite 1110 Encino, CA 91436 TELEPHONE NO.: 818 905-0000 E-MAIL ADDRESS (Optional): db@brownsteinllp.com ATTORNEY FOR (Name): Plaintiff, SR Holdings, LLC	FOR COURT USE ONLY CONFIRMED COPY OF ORIGINAL FILED Los Angeles Superior Court JAN 30 2006 John A. Clarke, Executive Officer/Clerk By V. Jaime, Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 1725 Main St. MAILING ADDRESS: CITY AND ZIP CODE: Santa Monica, CA 90401 BRANCH NAME: West District	
PLAINTIFF: SR HOLDINGS, LLC DEFENDANT: S SPIRITS, LLC, DOES 1-100	
ORDER FOR WRIT OF POSSESSION <input type="checkbox"/> AFTER HEARING <input checked="" type="checkbox"/> EX PARTE	CASE NUMBER: SC 088130

AFTER HEARING

1. The application of the plaintiff* for a writ of possession was heard as follows (check boxes in 1c and 1d to indicate personal presence at the hearing):
- a. Judicial Officer (name):
 - b. Hearing date: January 30, 2006 Time: 8:30 a.m. Dept.: I Rm.:
 - c. Plaintiff (name): SR Holdings, LLC Attorney (name): Mitra Torabi
 - d. Defendant (name): S Spirits, LLC Attorney (name):

EX PARTE

2. The application of the plaintiff for an ex parte writ of possession has been considered by the court.
3. The court finds:
- a. Defendant has been properly served as required by Code of Civil Procedure section 512.030. (Do not check this item if the application is ex parte.)
 - b. Plaintiff has has not filed an undertaking as required by Code of Civil Procedure section 515.010.
 - c. Plaintiff has established the probable validity of the plaintiff's claim to possession of the following property (specify):
 All remaining "S Guaro" bottled inventory; all bulk raw alcohol distillate for "S Guaro"; all remaining unfilled bottles for "S Guaro"; trademark certifications listed with the United States Trademark Office serial numbers: 78159034, 76530134, 76530135, 78437758, 78437789, 78437776, 78437754, 78437684, 78048188; all furniture, fixtures, office equipment and phone switching system left by S Spirits at 22917 Pacific Coast Highway, Suite 300, Malibu, California 90265; cont. on Attachment 3c
 Continued on Attachment 3c.
 - d. There is probable cause to believe this property or some part of it is located at one or more of the following private places (specify):
 22917 Pacific Coast Highway, Suite 300, Malibu, California 90265; with Defendant's agent or Bailee: Silver Creek Distillers, Inc., 134 N. 3300 East Rigby, Idaho 83442; with Defendant's agent or Bailee: Saco-Demptos, Inc., 2301 River Road, Suite 101, Louisville, KY, 40206

 Continued on Attachment 3d.

*"Plaintiff" includes cross-complainant, and "defendant" includes cross-defendant.

"ATTACHMENT 3c"

cont from prior page:

all marketing and promotional materials for "S Guaro" product; all California Alcoholic Beverage Control licenses held by S Spirits.

PLAINTIFF: SR HOLDINGS, LLC	CASE NUMBER:
DEFENDANT: S SPIRITS, LLC, DOES 1-100	SC 088130

ADDITIONAL FINDINGS FOR EX PARTE ISSUANCE OF WRIT OF POSSESSION

4. The court also finds:
- a. Defendant gained possession of the property described in item 3c, which was not entrusted to the defendant, by feloniously taking such property from the plaintiff by means other than by false or fraudulent representation, pretense, or embezzlement.
 - b. The property is a credit card.
 - c. Defendant acquired possession of this property in the ordinary course of the defendant's trade or business for commercial purposes, and (1) the property is not necessary for the support of the defendant or the defendant's family; (2) there is an immediate danger that the property will become unavailable to levy by reason of being transferred, concealed or removed from the state, or will become substantially impaired in value by acts of destruction, or by failure to take care of the property in a reasonable manner; and (3) the ex parte issuance of a writ of possession is necessary to protect the property.
- d. Total number of boxes checked in item 4: 1

ORDERS

5. IT IS ORDERED
- a. The clerk of this court is directed to issue a writ of possession as provided in Code of Civil Procedure section 512.020, directing the sheriff or marshal within whose jurisdiction the property described in item 3c, or some part of it, is located, to seize such property and retain custody of it as provided in Code of Civil Procedure sections 514.010-514.050.
 - b. The clerk is directed to issue the writ of possession immediately.
 - c. The clerk is directed to issue the writ of possession upon the plaintiff's filing of a written undertaking, as required by Code of Civil Procedure section 515.010, in the amount of: \$
 - d. The written undertaking required by the defendant for redelivery or to stay delivery is in the amount of: \$ 750,000.
 - e. The clerk of this court is directed to attach a copy of this order and a copy of the plaintiff's undertaking to the writ of possession.
 - f. The sheriff or marshal may enter the following private place(s) to take possession of the property or some part of it:
 22917 Pacific Coast Highway, Suite 300, Malibu, California 90265

Continued on Attachment 5f.

g. Defendant (name): S Spirits, LLC
 is ordered to transfer possession of the property described in item 3c to the plaintiff. (Code Civ. Proc., § 512.070.)

NOTICE TO DEFENDANT: Failure to comply with an order of the court to turn over possession of such property to the plaintiff may subject you to being held in contempt of court.

6. Number of pages attached: 1

Dated: January 30, 2006

JACQUELINE A. CONNOR
 (JUDICIAL OFFICER)

Signature follows last attachment.