

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA, §
§
Plaintiff, §
§ Civil Action No. 3:10-CV-0582-D
VS. §
§
ARTHUR PINER GRIDER, III, §
et al., §
§
Defendants. §

PRELIMINARY INJUNCTION

For the reasons set out in a memorandum opinion filed today, it is ordered that Arthur Piner Grider, III, Asgard Avionics Corp. of Florida, Asgard Avionics Corp. of New York, Asgard Resources, LLC, Asgard Resources of Texas, LLC, Asgard Technologies, LLC, Asgard International, Inc., Flagship Promotional Services, LLC, Phoenix Offshore Services, LLC, Phoenix Services, Inc., PSG Services, Inc., Resource Management International, Inc., RMI Pendragon, Inc., Talent Force Technical, LLC, Talent Force Services, LLC, and NAG Financial, LLC, their officers, agents, servants, employees, and attorneys, and all persons in active concert or participation with them who receive actual notice of this preliminary injunction by personal service or otherwise, are enjoined pending further order of this court as set forth in this preliminary injunction. When the term "defendant" is used in this preliminary injunction, it means one of the foregoing persons or entities. When the term "defendants" is used in this preliminary injunction, it means all of the foregoing persons or entities.

I

Defendants are enjoined from violating the Internal Revenue Code and, in accordance with applicable federal statutes, regulations, and rules, they must

1. withhold income and Federal Insurance Contributions Act ("FICA") taxes and Medicare taxes from their employees' wages or wages of any employees of any entity that they use to operate a business that has employees;
2. timely deposit all withheld taxes with the Internal Revenue Service ("IRS");
3. timely deposit the employer's share of all Federal Unemployment Tax Act ("FUTA") and FICA taxes for their employees or employees of any other entity that they use to operate a business that has employees;
4. timely file all Forms 940, Forms 941, Forms 1120, and any other federal tax form required to be filed by them or by any other entity that they use to operate a business that has employees, and pay any balance due on those returns upon filing;
5. with respect to any delinquent federal tax returns as of the date of this preliminary injunction, file any such delinquent tax return within 60 calendar days of the date of this preliminary injunction (they are not required to pay the balance due on any such delinquent tax return,

although they can make voluntary payments on any delinquent taxes); and

6. within 30 calendar days of the date of this preliminary injunction, file with the IRS and the United States Social Security Administration, and issue to any employee, accurate IRS W-2 Forms for 2009, and send copies of these W-2 Forms to counsel for the government at the same time the W-2 Forms are filed with the appropriate agency of the United States.

II

Defendants must mail the following information and/or documents to James T. Ashton, Revenue Officer, 216 W. 26th Street, Ste. 101, STOP 5210BRY, Bryan, Texas 77803:

1. within 5 business days after each employment tax deposit due date, proof of all deposits made for the previous pay period's employment tax;
2. within 10 business days of the date this preliminary injunction is filed, the name, address, and federal employer identification number of any entity that he or it began or began using to operate or support a business that has employees after this lawsuit was filed; and
3. within 14 business days of the date this preliminary injunction is filed, the identity (name, address, and employer identification number) of any entity in which

they have an interest and that has unfiled delinquent employment (Form 941) tax return and/or unpaid, delinquent federal employment (Form 941) tax liability.

III

Defendants are enjoined from paying other creditors or transferring funds to themselves or to any third party before paying their current federal employment tax liabilities.

IV

Defendants are prohibited from:

1. transferring any money or property to any other entity or person for the purpose of having that entity or person pay salaries and wages of their employees or those of their enjoined business entities; and
2. assigning or transferring any of their assets, except in the ordinary course of business, until the delinquent taxes are paid.

V

Pending further order of this court, defendants must notify the IRS in writing if they begin operating any new business enterprise, and they must identify it by name, address, and employer identification number.

VI

If a defendant violates any part of this preliminary injunction, plaintiff United States of America shall send written notification of the violation to the defendant's address on file with the IRS. If the violation is not cured within 10 calendar days after the notification is sent, the defendant is deemed to be in default of the preliminary injunction.

Proper "cures" include making a late tax deposit, paying delinquent tax shown on a return, filing a delinquent tax return, or providing a delinquent notification.

If a defendant violates this preliminary injunction more than three times, plaintiff United States of America will no longer be obligated to send written notification of a violation. After the third notification, the defendant will be in default of this preliminary injunction immediately upon an additional violation.

VII

If a defendant violates any part of this preliminary injunction:

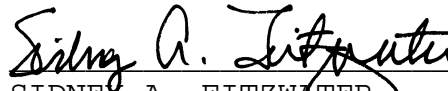
1. no funds may be disbursed—by check or otherwise—from that defendant until all federal taxes required to be deposited are deposited, and the documents required by this preliminary injunction are sent to the IRS;

2. the IRS may seize the defendant's business property or the business property of any other entity that the defendant uses to operate the defendant's businesses, and sell that property to satisfy any of the defendant's or the entity's outstanding tax liabilities; and
3. the court may find the defendant to be in civil and/or criminal contempt.

VIII

This preliminary injunction takes effect immediately upon filing. No bond is required of plaintiff.

November 2, 2010.



SIDNEY A. FITZWATER
CHIEF JUDGE