

2005 CT 18149
CAUSE NO

3

STANDARD AERO
[SAN ANTONIO], INC.,

Plaintiff,

v.

KELLY AVIATION CENTER, LP,

Defendant.

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IN THE DISTRICT COURT

408th

JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**TEMPORARY RESTRAINING ORDER AND
ORDER SETTING HEARING ON TEMPORARY INJUNCTION**

On the 15th day of November, 2005, this Court considered Plaintiff Standard Aero [San Antonio], Inc.'s ("SASAI") Verified Petition and Application for Temporary Restraining Order, Temporary and Permanent Injunction against Defendant Kelly Aviation Center, LP ("KAC"). The Court finds that in accordance with the Local Court Rules of the Bexar County District Courts, Plaintiff's attorney-in-charge certified that Defendant is not represented by counsel in this action, and that notifying Defendant of this application would likely cause Plaintiff irreparable injury.

The Court further finds from the facts set forth in Plaintiff's Verified Petition that immediate and irreparable injury, loss and harm will result to Plaintiff unless Defendant is temporarily restrained as requested in Plaintiff's Verified Petition, because the actions subject to this Order, if they were to occur and not be restrained, would more probably than not irreparably injure Plaintiff. Plaintiff has no adequate remedy at law based on the facts stated in Plaintiff's Verified Petition because any monetary damages cannot be ascertained at this time and because irreparable harm is presumed where, as here, the Defendant possesses Plaintiff's trade secrets and it is in a position to use them. Accepting the factual allegations of Plaintiff's Verified

Petition as true for the purpose of the requests for a temporary restraining order, the Court further finds that Plaintiff has a cause of action against Defendant and a probable right to the relief sought.

It is, therefore, ORDERED that Defendant, KAC, be, and it hereby is, restrained and enjoined from:

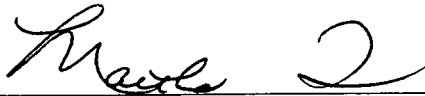
- (a) Disclosing to Rolls-Royce Corporation ("RRC") or otherwise permitting access to any of Plaintiff's trade secrets or other proprietary information for any purpose whatsoever;
- (b) Permitting RRC from entering SASAI's portion of the facility shared by SASAI and KAC without express approval of SASAI;
- (c) Using any of SASAI's trade secrets and other proprietary and confidential information to perform the PBA T56 workload itself;
- (d) Using any of SASAI's trade secrets and other proprietary and confidential information for any purpose unrelated to the PBA program.

It is further ORDERED that upon the execution by Plaintiff of a cash bond, or a bond with an acceptable surety, in the amount of \$500.00, then the District Clerk shall cite this temporary restraining order in a writ complying with Rules 687 and 688 of the Texas rules of Civil Procedure, and order that such write be served on Defendant, and that this temporary restraining order shall continue in effect until further orders of this Court or until it expires by operation of law.

It is further ORDERED that Plaintiff's request for preliminary injunction be, and hereby is, set for hearing on the 29th day of November, 2005, at 9:00 o'clock A.M., and that Defendant, KAC, shall then and there appear to show cause why a preliminary

injunction should not be granted and remain in effect during the pendency of this lawsuit or of the pending arbitration, whichever is later, or until further orders of this Court.

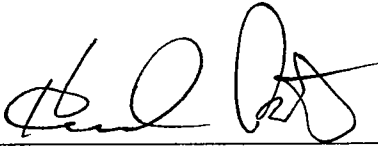
SIGNED this 15 day of November, 2005, at 10:26 o'clock A M.



Judge Presiding

APPROVED:

COX SMITH MATTHEWS INCORPORATED
112 East Pecan St., Suite 1800
San Antonio, Texas 78205
(210) 554-5500
(210) 226-8395 (fax)



Howard P. Newton
State Bar No. 14977500
Travis C. Headley
State Bar No. 24032283

ATTORNEYS FOR PLAINTIFF,
STANDARD AERO [SAN ANTONIO], LTD.