

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT
C.A. No. 00-4893G

COMMONWEALTH OF MASSACHUSETTS, BY
AND THROUGH WILLIAM F. GALVIN,
SECRETARY OF THE COMMONWEALTH
Plaintiff

V.

HANS BERNHARD, LUZIUS A. BERNHARD,
SILVERSERVER AND OSKAR OBEREDER,
Defendants

PRELIMINARY INJUNCTION

Upon the application of the plaintiff Commonwealth of Massachusetts, and after notice and hearing, the Court finds, rules, and orders the following:

Defendants Hans Bernhard, Luzius A. Bernhard, Silverserver and Oskar Obereder, their respective agents, servants, employees, and attorneys, all persons in concert or participation with them, and all persons with notice of the Court's preliminary injunction, ARE HEREBY ENJOINED AND RESTRAINED from directly or indirectly

1. Using or operating any Internet Web site that solicits, aids or allows residents of Massachusetts to sell their votes to be cast at the November 7, 2000 General Election.
2. Using, operating, facilitating or accessing the domain name "Vote-Auction.com" or any domain name or Web site with the same purpose and goals.
3. Failing to remove such Web site from the Internet completely or, in the alternative, failing to modify the Internet Web site known as Vote-Auction.com or any domain name with the same purpose and goals so as to indicate that selling, buying or bidding on votes is not valid in the Commonwealth of Massachusetts.
4. Allowing or continuing registration of the Internet domain name "Vote-Auction.com" or any other domain name offering substantially the same service as Vote-Auction.com.

5. Using or operating in the Commonwealth of Massachusetts any Internet Web site by any name in any manner that would violate prohibitions in the laws of the Commonwealth of Massachusetts against the buying of votes in elections, including, but not limited to, violations of G.L.c. 56 §32 and G.L. 56 §25.

6. Accepting from residents of the Commonwealth of Massachusetts any registration or offer to sell votes or to buy votes at auction through Vote-Auction.com or any other Web site or domain name offering substantially the same services as Vote-Auction.com.

7. Failing to modify their Web site to indicate that all registrations or offers to sell votes and/or buy votes from Massachusetts residents will be denied.

8. Directly or indirectly paying, giving, or promising to a Massachusetts voter any gift or reward to influence his vote or to induce him to withhold his or her vote.

Justice of the Superior Court

Dated: _____

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