

NO. 07-09217

TEXAS REFORM PARTY, REFORM
 PARTY OF FLORIDA, REFORM
 PARTY OF MICHIGAN

Plaintiffs,

V.

REFORM PARTY OF THE UNITED
 STATES OF AMERICA, RODNEY
 MARTIN, JOHN BLARE, VALLI
 SHARPE-GEISLER, BARBARA
 DALE WASHER
 Defendants.

IN THE

193rd JUDICIAL DISTRICT

OF DALLAS COUNTY, TEXAS

DEFAULT JUDGMENT

On August 26, 2008, this case was called for trial. Plaintiffs, Texas Reform Party and the Reform Party of Florida, appeared through its representative and through its attorney. Defendants, John Blare, Reform Party of the United States of America, and Barbara Dale Washer did not appear. Plaintiffs moved for default judgment. The court determined it had jurisdiction over the subject matter and the parties in this proceeding. After considering the pleadings, the papers on file in this case, and the evidence plaintiff presented on liability, equitable injury, and attorney fees, the court grants plaintiffs' motion for default judgment. *The Court, upon Plaintiffs' non-suit, hereby dismisses without prejudice all claims against Rodney Martin & Valli Sharpe-Geisler.*

The court hereby RENDERS judgment for Plaintiffs Texas Reform Party and the Reform Party of Florida.

THE COURT DECLARES that:

The 2005 Reform Party of the United States of America national convention held in Yuma Arizona and all business conducted there, including but not limited to any and all election of officers, committeepersons, and/or delegates, was invalid because notice was not provided as required by Section 10 of Constitution of the Reform Party of the United States of America.

THE COURT ORDERS that a permanent injunction be issued:

1. enjoining Defendants, their agents, and others acting in concert

with them, directly or indirectly, from:

- a. directly or indirectly holding themselves out to any entities, including but not limited to, the media, volunteers, donors, and/or candidates for public or Reform Party of the United States of America office, as officers, Executive Committee members, or any other representative either of the Reform Party of the United States of America or of any national entity with a name containing the word Reform combined with either USA, United States, America, or any variation or combination thereof.
- b. soliciting donations in the name either of the Reform Party of the United States of America or of any national entity with a name containing the word Reform combined with either USA, United States, America, or any variation or combination thereof;
- c. maintaining or offering a website in the name either of the Reform Party of the United States of America or of any national entity with a name containing the word Reform combined with either USA, United States, America, or any variation or combination thereof.;
- d. using the RPUSA toll-free number, 1-877-GO-REFORM, and any and all other property belonging to the RPUSA;
- e. conducting any national conventions, officers' meeting, and/or national committee meetings, to discuss or perform RPUSA business; And

2. ordering Defendants to surrender the following to David Collison, Chair of the RPUSA:

- a. The domain name and website www.reformparty.org
- b. Domain names and websites using the name Reform Party coupled with United States, America, and/or any variation or abbreviation of these names or any variant thereof, including RPUSA.
- c. Domain names and websites referring to or claiming to represent the Reform Party national committee, or any abbreviation or variant thereof.
- d. Mailing lists, in whatever form they exist
- e. Contacts in whatever form they exist
- f. Convention handouts/give-aways and decorations including but not limited to backdrops, signs, banners, etc.

- g. Credentials paraphernalia such as lanyards, stickers, badge holders, laminating pouches, etc.
- h. All national Reform Party group lists and/or email reflectors including but not limited to those hosted by yahoo groups (excomlist, natcomlist, reformtalklist, etc.), or that are owned or moderated by John Blare, or anyone acting on behalf of or in concert with him.
- i. Telephone number, 1-877-GO REFORM (1-877-467-3367).
- j. All financial records – amounts received, by donor, and amounts paid out, to whom or what entity, with the dates of each transaction.
- k. All RPUSA records.

THE COURT FURTHER ORDERS a constructive trust in favor of Plaintiffs on the property listed above until such time as Defendants effectively transfer all possession, control, and title of such property to Mr. Collison, Chair of the RPUSA.

THE COURT FURTHER ORDERS an accounting of all RPUSA property.

THE COURT FURTHER ORDERS that plaintiffs recover court costs from defendants.

The court finds the following:

1. Defendants had notice of the setting for trial because the Court mailed Defendants notice of the trial date, but Defendants John Blare, Reform Party of the United States of America, and Barbara Dale Washer did not attend.

2. The trial was conducted in defendant's absence.

3. Plaintiff provided evidence proving liability, causation, and equitable injury.

4. Plaintiff requested attorney fees based on Section 37.009 of the Texas Civil Practice and Remedies Code. Plaintiff offered evidence at trial proving reasonable and necessary attorney fees in the amount of \$40,883.50. The court orders defendants to pay plaintiffs \$40,883.50 for attorney fees. *The Court awards taxable court costs in favor of Plaintiff against Defendants. All answers herein are against the Defendants jointly & severally.*

5. This judgment is final and disposes of all claims and all parties, and is appealable.

6. The court orders execution to issue for this judgment.

Signed On:

August 26, 2008

Judge Presiding

ATTESTATION OF RECORD OF DISTRICT CLERK

STATE OF TEXAS
COUNTY OF DALLAS

IN THE DISTRICT COURT OF DALLAS COUNTY
COUNTY, TEXAS

I, GARY FITZSIMMONS, Clerk of the District Courts of Dallas County, Texas, do hereby certify that the foregoing and annexed writing is a true and correct copy of Default Judgment

In the case of Texas Reform Party vs. Reform Party Of The United States

In said District Court as the same appears on file and of record in the records of said court, which said records are in my charge and custody as such clerk. IN WITNESS WHEREOF, I have at my office in the county and state aforesaid, set my hand and affixed hereto the official seal of said District Court on this 3rd day of September 20 08


Clerk of the District Courts of Dallas County, Texas

STATE OF TEXAS
COUNTY OF DALLAS

I, Carl Ginsberg, Judge of the 193rd Judicial District Court of Dallas County, Texas and Presiding Judge of said Court, do hereby certify that GARY FITZSIMMONS, whose genuine signature is affixed to the above and foregoing certificate, was at the date of signing said certificate and now is the Clerk of the said Judicial Court of Dallas County, Texas, aforesaid, and that his official acts as such Clerk are entitled to full faith and credit under the Constitution of the United States and that the foregoing attestation is in good form and in accordance with law and that the seal affixed thereto is the seal of said District Court. Given under my hand and the official seal of said Court this 3rd day of September, 20 08


Presiding Judge

STATE OF TEXAS
COUNTY OF DALLAS

I, GARY FITZSIMMONS, Clerk of the District Courts of Dallas County, Texas, aforesaid, do hereby certify that said Court is a court of record, and that Carl Ginsberg, whose name is affixed to the above certificate, is and was at the time of the making of said certificate the duly commissioned, qualified, sworn, and acting Presiding Judge of said Court and that I am well acquainted with the handwriting of said Judge and know that his signature to said certificate is genuine, IN TESTIMONY WHEREOF, I have here unto set my hand and affixed the seal of said Court this 3rd day of September, 20 08


GARY FITZSIMMONS, DISTRICT CLERK

NO. 07-09217-L

Texas Reform Party

PLAINTIFF

VS.

Reform Party Of The United States Of America et al

DEFENDANT

CERTIFIED COPY OF

Default Judgment

GARY FITZSIMMONS

CLERK OF THE DISTRICT COURTS
DALLAS COUNTY, TEXAS