

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

DECI, INC. :
d/b/a TRISTATE ENTERPRISES :
 :
VS. :
 :
STATE OF RHODE ISLAND, :
DIRECTOR AND CHIEF PURCHASING :
OFFICER, JEROME F. WILLIAMS, :
in his official capacity :

C.A. NO:

30P

08-4914

MOTION FOR TEMPORARY RESTRAINING ORDER

Now comes TRISTATE ENTERPRISES (Plaintiff) in the above matter and moves pursuant to Superior Court Rules of Civil Procedure Rule 65 that this Court issue an enjoining the Defendant from terminating Plaintiff's contracts for cleaning services between Plaintiff and the Defendants as reflected in the Blanket Purchase Agreements listed as "EXHIBIT A" which is attached hereto and made a part hereto.

Plaintiff states that the Defendants on July 24, 2008 in a written notice advised Plaintiff that its contracts with Defendants were terminated effective July 25, 2008 at 11:55 P.M. (See "Exhibit B" 7 pages). Every contract between the parties requires the Defendants to give thirty (30) days written notice of termination. Plaintiff seeks immediate equitable relief from this Court based upon the fact that it has and will continue to suffer irreparable harm and that there is no adequate remedy at law available to TRISTATE. Plaintiff alleges that there is a likelihood of success in that the Defendants failed to adhere to the express terms of the contract; that in granting the temporary restraining order, the status quo will be maintained and that the Plaintiff

has been servicing some or all of the Defendant's buildings under contract since 1997. That the Defendants have never had any major problems or concerns with the quality of service, or work force of the Plaintiff. Accordingly, Plaintiff states that there will be no harm to the public or Defendants in granting Plaintiff's motion. The only hardship would be to Plaintiff. Plaintiff relies upon the supporting Affidavit as grounds for the issuance of a Temporary Restraining Order.

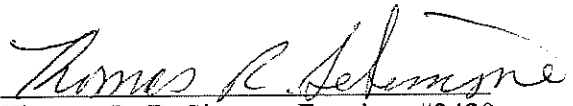
WHEREFORE, Plaintiff prays for the following relief:

1. That the Defendants, State of Rhode Island, Department of Administration, and the Director, Jerome F. Williams, be temporarily restrained and enjoined from terminating the contracts for cleaning services at the locations set forth in "EXHIBIT A" until further order of this Court.
2. That the Plaintiff and its workers be allowed to continue to enter and service the State buildings identified in "EXHIBIT A" until further order of the Court.
3. That this Court permanently restrain and enjoin the Defendants; the State of Rhode Island, Department of Administration and the Director Jermone F. Williams from terminating the contracts for cleaning services at the location set forth in "EXHIBIT A"
4. That this Court temporarily restrain and enjoin the Defendants from tampering with, utilizing, dispose of and/or otherwise tampering with the equipment, cleaning product, solutions and other machinery of the Plaintiff.

5. That this Court award such other relief that it deems fair and just under the circumstance.

Plaintiff,
By its Attorney,

Dated: July 28, 2008


Thomas R. DeSimone, Esquire #2420
735 Smith Street
Providence, RI 02908
(401) 454-1400
(401) 454-1402 Fax

CERTIFICATION

I hereby certify that on the 28th day of July, 2008, I faxed a copy of the herein Motion to Michael Mitchell, Esquire, Attorney for the Defendants located at Department of Administration, Division of Legal Services, One Capital Hill, Providence, RI 02903; fax number (401) 222-8244.



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COPY

C.A. NO: 08-4914


PETITION FOR PRELIMINARY INJUNCTION

Now comes the Plaintiff in the above entitled matter, by and through its attorney, Thomas R. DeSimone, Esquire and requests, pursuant of Rule 65 of the Rhode Island Superior Court Rules of Civil Procedure, that this Court issue a preliminary injunction. Plaintiff relies upon the allegations set forth in its verified complaint filed in the above matter on July 28, 2008. Further, Plaintiff states that the Defendants terminated twenty-six (26) contracts ("EXHIBIT A") it has with the Defendant. Every contract demands a thirty (30) day written notice. Defendant gave a one (1) day written notice. (See "EXHIBIT B" 7 pages).

WHEREFORE, Plaintiff prays that a preliminary injunction order issue, ordering the Defendants to reinstate all of the cleaning contracts that were terminated by the Defendants on July 25, 2008; that this Court restrain and enjoin the Defendants from denying Plaintiff access to the Defendants' buildings so that Plaintiff can service said buildings; that this Court award such further relief as it deems fair and just under the circumstances.


DECI, INC. dba
TRISTATE ENTERPRISES
By its Attorney,

Dated: July 28, 2008


Thomas R. DeSimone, Esquire #2420
735 Smith Street
Providence, RI 02908
(401) 454-1400
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CERTIFICATION

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Susan Lopez