

**IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR OSCEOLA COUNTY, FLORIDA**

JIM CAN,
and MAINLAND INVESTMENTS, INC.
a Florida corporation,

CASE NO.: 2013-CA-003136

Plaintiff,

v.

GEORGE SHARP,
PUMPS AND DUMPS.COM, and
JOHN DOE,
Defendant.

_____ /

ORDER GRANTING TEMPORARY INJUNCTION

THIS CAUSE came on to be heard upon Plaintiff, JIM CAN and MAINLAND INVESTMENTS, INC's., (hereinafter as "Plaintiff"), Motion for Injunction and Complaint for Injunctive Relief seeking to enjoin Defendants GEORGE SHARP, PUMPS AND DUMPS.COM and JOHN DOE (hereinafter "Doe"), from the ongoing publication of false and defamatory statements; and from tortuously interfering with Plaintiff's business relationships. The court has reviewed Plaintiff's Complaint, Motion for Injunction along with the Affidavit of Can and other submissions of the parties. On September 16, 2013, the Court conducted a hearing on the Motion at which time it further reviewed the pleadings and heard argument of counsel.

Thus, being fully advised in the premises, the Court makes the following findings of fact and conclusions of law, which findings are the reason for the entry of this Temporary Injunction:

I. FACTUAL BACKGROUND

1. As detailed below, and provided for in the Verified Complaint and Motion for Injunction filed in this action, Defendant Sharp has posted tortious, false and defamatory statements

about Plaintiff on PumpsandDumps.com and various other internet websites and message boards. Other postings include but are not limited to:

<http://www.pumpsanddumps.com/2013/08/the-man-behind-bluf-and-gben-pump-dumps.html>

<http://www.pumpsanddumps.com/2013/07/betting-on-bluforest-looks-like-bad-bluf.html>

<http://finance.yahoo.com/news/jim-named-additional-defendant-lawsuit-210926997.html>

<http://finance.yahoc.com/news/private-investor-files-lawsuit-against-042620142.html>

<http://www.redd-monitor.org/2013/08/20/bluforest-inc-to-pre-sell-carbon-credits-from-redd-project-in-ecuador-to-non-existent-uk-company/>

<http://www.scribd.com/doc/161690271/BluForest-Inc-OTC-BLUF-Balance-Sheet-A-Complete-Hoax>

2. Additionally, Defendant Sharp has posted tortious, false and defamatory statements about Plaintiff on his Twitter page.
3. On or about August 23, 2013, screen captures of articles posted demonstrate the false and defamatory content published by Pumpsanddumps.com was intended to cause damage to the Plaintiff's reputation.
4. The posts at <http://www.pumpsanddumps.com/2013/08/the-man-behind-bluf-and-gben-pump-dumps.html> and <http://www.pumpsanddumps.com/2013/07/betting-on-bluforest-looks-like-bad-bluf.html> contain false and defamatory allegations regarding Plaintiff.
5. Between the dates of July 1, 2013 and August 26, 2013, Defendant knowingly, willfully, and maliciously published a series of internet articles and messages, which contained false statements of fact about Plaintiff CAN including: words charging CAN with fraud, theft, and other named and unnamed criminal acts and felonies; and words charging him

with engaging in numerous illegal, unethical and morally unacceptable behaviors – these comments are defamation per se as they falsely accuse Plaintiff of criminal conduct..

6. Defendants' article published on pumpsandddumps.com specifically states, "In truth, Jim Can is Calgary's King of Penny Stock fraud and he has stolen millions from the public with his various schemes." The article further alleges, "In an environment where FINRA often looks the other way and the SEC is impotent, penny stock fraud is rampant, and there are plenty of suckers and believers in fairy tales susceptible to the romance of untold and untrue riches offered by wooers like Jim Can."

7. Defendants' article published on pumpsandddumps.com specifically states:

In the past, Can openly acknowledged pulling the strings on Budget Waste, Inc. (BDGW), a scheme where he did everything he could to support promotions including the announcements of: phony deals consisting of phony funding and acquisitions of pretend assets; execute forward splits and stock dividends; and arrange for a reverse takeover in another OTC shell (BWIH), which in effect was an attempt to washy away the grime left behind by all the deceit.

8. Defendants' article published on pumpsandddumps.com (EXHIBIT B) alleges that CAN cannot be trusted and that his affiliated business, BluForest, "was set up to destroy its shareholders." This is simply not true.
9. A Press Release by SHARP published on Finance.yahoo.com (EXHIBIT C), states:

Mr. Sharp commented, "Jim Can's execution of a pump and dump campaign on Greenwood Gold Resources and then

reverse split out the shareholders, was pre-meditated, as is the current scheme on BluForest, Inc., where the company has deliberately and falsely overvalued the carbon credit assets of the properties in Ecuador, if any such assets even exist. BluForest conspired with Mr. Can's other penny stock operation, Global Resource Energy, Inc. to overvalue the credits."

10. The verified pleadings set-forth that the above allegations are false, defamatory, and/ or defamation per se which if true would suggest criminal conduct.
11. Defendants made false and defamatory statements concerning CAN for the purpose of tortuously interfering with CAN's advantageous business relationships.
12. Defendant SHARP, contacted CAN via telephone on August 7, 2013, identified himself as SHARP and indicated that he was going to post defamatory and false information about CAN, and companies with whom he is affiliated in order to ruin their name if CAN did not pay him a sum of money in advance of the postings.
13. CAN refused to pay the sum of money demanded and the Defendants proceeded to post the false and defamatory information outlined above.

FINDINGS:

1. This Court expressly finds that, although irreparable injury is presumed, Plaintiffs have nonetheless demonstrated that irreparable injury exists and will continue if the post is not taken down.
2. This Court finds that there is no adequate remedy at law in that the continued publication of these false and defamatory statements are causing and will continue to cause significant and irreparable

injury to PLAINTIFFS that cannot be remedied through the repayment of money.

3. Based upon the evidence presented, PLAINTIFFS has a substantial likelihood of success on the merits of its claims against the defendants.
4. This Court has jurisdiction over this matter.
5. The potential damages sustained by the Defendants if the Defendants are wrongfully enjoined is minimal.
6. This Court finds that Plaintiff's Amended Verified Complaint and Motion for Injunction satisfies the requirements of Rule 1.610, Fla.R.Civ.P.
7. This Court has jurisdiction over this matter.
8. This hearing was held without notice in order to prevent the irreparable injury to the Plaintiff which would result if the Defendant was first given notice of the Plaintiff's intent to seek same. Plaintiff's counsel has filed an affidavit of no notice.
9. Based on the reasons and findings set out above, the Court further finds that Plaintiff has a clear legal right to relief sought; no adequate remedy at law; irreparable harm; and the public interest will not be disserved by the grant of injunctive relief. Accordingly injunctive relief is appropriate.

Accordingly, it is hereby

ORDERED and ADJUDGED as follows:

- A. The Motion for Temporary Injunction is hereby GRANTED
- B. George Sharp, PUMPS AND DUMPS.COM, and John Doe, or any electronic communication provider or electronic bulletin board system facilitating the publication, shall remove from publication the above referenced false and defamatory comments found at [the](#) above listed domains.
- C. The Defendant shall provide a copy of this Order to Google, Yahoo, Bing, and any other Internet publisher who broadcasts or rebroadcasts the above posts.

D. The Plaintiff shall post a bond in the amount of \$ 7500.00.

E. This Court reserves jurisdiction to enforce, modify or dissolve the terms and conditions of this Order and the additional relief sought in Plaintiff's complaint.

This temporary injunction is entered this ~~15th~~ 16th day of September 2013 at 10:20

a.m./p.m.

DONE AND ORDERED this 16 day of September 2013, in Orlando, Osceola County, Florida.

1st Scott Rudyna
Circuit Court Judge