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13 THE CLAREMONT COLLEGES, INC.

FILED
Superior Court of California
County of Los Angeles

01/07/2022

Sherri R. Carter, Executive Officer / Clerk of Court

By: _____ J. Alfaro Deputy

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF LOS ANGELES

12 THE CLAREMONT COLLEGES, INC., a)
13 California corporation, dba THE)
14 CLAREMONT COLLEGES SERVICES,)

14 Plaintiff,

15 vs.

16 SOUTHERN CALIFORNIA SCHOOL OF)
17 THEOLOGY, a California corporation, d/b/a)
18 CLAREMONT SCHOOL OF THEOLOGY;)
19 YALONG INVESTMENT GROUP, LLC, a)
20 California corporation; EDUCATION)
21 TOMORROW, INC., a California corporation;)
22 HENRY APPENZELLER UNIVERSITY, a)
23 California corporation; MPIRE, INC., a)
24 California corporation, d/b/a CALIFORNIA)
25 ACADEMY; WESTERN UNIVERSITY OF)
26 HEALTH SCIENCES, a California)
27 corporation; and DOES 1 to 50, inclusive,)

23 Defendants.

Case No.: 19PSCV00419

[Related to Case Nos. KC068691 and
21PSCV00241.]

Assigned to Hon. Peter A. Hernandez,
Dept. O

~~PROPOSED~~ ORDER GRANTING
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION
AGAINST DEFENDANTS SOUTHERN
CALIFORNIA SCHOOL OF
THEOLOGY AND YALONG
INVESTMENT GROUP, LLC

Complaint Filed: May 3, 2019

Trial Date: None

1 Plaintiff The Claremont Colleges, Inc. d/b/a The Claremont College Services, f/k/a
2 Claremont University Consortium (collectively “Consortium”) filed a motion for a preliminary
3 injunction (the “Motion”).

4 The Motion came before the court on November 15, 2021, at 9:30 a.m. in Department O,
5 the Hon. Peter A. Hernandez presiding. Appearances for the parties were noted on the record.

6 The Court, after considering the Motion, opposition reply papers, as well as the oral
7 argument of counsel, hereby **ORDERS** that the Motion is granted. Defendants Southern
8 California School of Theology (“CST”) and Yalong Investment Group, LLC (“Yalong”) are
9 hereby ordered and/or enjoined, pursuant to California Code of Civil Procedure (“C.C.P.”) section
10 526 and the Court’s inherent powers, as follows:

11 a. CST is prohibited from selling or transferring any part of the subject
12 property, located at 1325 North College Avenue, Claremont, California (the “Property”), except to
13 Consortium, pending the final resolution of this case;

14 b. CST is prohibited from purporting to grant any party or third party any right
15 to use, occupy, or possess any part or portion of the Property, other than as a temporary invitee in
16 a manner consistent with the Education Use Restriction and the operating needs of an educational
17 institution of higher learning, pending the final resolution of this case;

18 c. CST and Yalong are prohibited from constructing, destroying, or
19 substantially altering any buildings, structures, or improvements on the Property, or allowing the
20 construction, destruction, or substantial alteration of any buildings, structures, or improvements on
21 the Property, pending the final resolution of this case;

22 d. CST and Yalong are prohibited from subdividing the Property pending the
23 final resolution of this case;

24 e. Yalong is prohibited from using, occupying, or possessing any part of the
25 Property pending the final resolution of this case;

26 f. Yalong is prohibited from purporting to grant through sublease, assignment
27 or otherwise, any defendant or third party any right to use, occupy, or possess any part of the
28 Property pending the final resolution of this case;

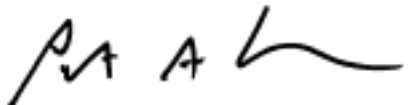
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g. CST is required to sequester in a separate account, held in constructive trust pending the final resolution of this case, all funds it has received, or will receive, from Yalong, the other defendants, or any third party in connection with the Property;

h. CST is prohibited from borrowing money against the Property or granting any party or third party a security interest in the Property pending the final resolution of this case; and

i. CST and Yalong are prohibited from taking any other action to violate or otherwise interfere with the Right of First Offer and/or the Educational Use Restriction, as set forth in the 1957 Agreement, the 1957 Deed and/or the 2001 Agreement, pending the final resolution of this case.

Dated: 01/07/2022



Hon. Peter A. Hernandez
Judge of the Superior Court of the State of California

1 **PROOF OF SERVICE**

2 I, Jaston Archie, the undersigned, declare that:

3 I am employed in the County of Los Angeles, State of California, over the age of 18, and
4 not a party to this cause. My business address is 10100 Santa Monica Blvd., Suite 2200, Los
5 Angeles, CA 90067.

6 On October 21, 2021, I caused to be served a true copy of the foregoing **[PROPOSED]**
7 **ORDER GRANTING PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION**
8 **AGAINST DEFENDANTS SOUTHERN CALIFORNIA SCHOOL OF THEOLOGY AND**
9 **YALONG INVESTMENT GROUP, LLC** on the parties in this cause as follows:

10 **(VIA ELECTRONIC TRANSMISSION)** I caused such document to be served through
11 electronic transmission by an approved Electronic Filing Service Provider as part of the Pomona
12 Superior Court of California e-filing system, to the email addresses set forth below.

13 **(VIA ELECTRONIC MAIL)** by transmitting the above named document to the email
14 addresses set forth below.

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*Counsel for Defendant Yalong Investment
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*Counsel for Defendant Southern California
School Of Theology dba Claremont School of
Theology*

(VIA U.S. MAIL) by placing the above named document in a sealed envelope addressed as
set forth below and by then placing such sealed envelope for collection and mailing with the
United States Postal Service in accordance with Loeb & Loeb LLP’s ordinary business practices.

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*Registered Agent for Service of Process for
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*Owner of Defendant Mpire, Inc. d/b/a
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*Counsel for Defendant Western University of
Health Sciences*

(also VIA Email)

I certify that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I am readily familiar with Loeb & Loeb LLP's practice for collecting and processing correspondence for mailing with the United States Postal Service and Overnight Delivery Service. That practice includes the deposit of all correspondence with the United States Postal Service and/or Overnight Delivery Service the same day it is collected and processed.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 21, 2021, at Los Angeles, California.



Jaston Archie