

FILED  
1st February 2010 at 2:00pm p.m. *ABJ*  
ABRAHAM PENN JONES  
Superior Court Judge

NORTH CAROLINA  
ORANGE COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
10 CVS 149

RIELLE HUNTER, )  
)  
Plaintiff, )  
)  
v. )  
)  
ANDREW YOUNG and CHERI )  
YOUNG, )  
)  
Defendants. )

**SECOND  
NOTICE OF HEARING  
AND  
ORDER TO APPEAR AND SHOW CAUSE  
AND  
ORDER TO PRODUCE CERTAIN ITEMS  
AND DOCUMENTS**

**TO: ANDREW YOUNG AND CHERI YOUNG:**

The Court initiates this Second Notice of Hearing and Show Cause Order in furtherance of the Temporary Restraining Order issued by the Court on 28 January 2010, a copy of which is attached hereto as Exhibit A, and on its own Motion. The Court issued a Notice of Hearing and Show Cause Order on 29 January 2010 and the Sheriff of Orange County attempted service of that Order at Defendants' residence on the same date. The Sheriff advises the undersigned that no one was at the residence, he left a notice to call him and that neither Defendant has responded; further, Defendants have still not turned over items to the Sheriff as required by the Temporary Restraining Order. Further, Defendants have yet to address this matter although they told the Sheriff they would do so "as soon as possible;" instead, it appears that at least one of the Defendants has left the State.

This Second Notice of Hearing and Order to Appear and Show Cause supplements and, to the extent of any inconsistency, supersedes the Order to Appear and Show Cause issued 29 January 2010.

The Court has reviewed the verified Return of Execution signed by Major Charles S. Blackwood of the Orange County Sheriff's Office, which indicates that the Summons, Complaint, and Temporary Restraining Order were properly served upon Defendants on 28 January 2010, and that the Temporary Restraining Order was executed upon them. The Return of Execution further shows that: Defendant Andrew Young told Major Blackwood that he "needed to consult with his attorney before doing anything" and Major Blackwood allowed him to do so; Defendant Andrew Young then asked Major Blackwood to explain the Order to his attorney and he did on speakerphone; then Major Blackwood was asked to allow Defendant Andrew Young to speak on the phone in private and "then a decision would be made whether to deliver those items to [Major Blackwood] or not." After a wait, Defendant Andrew Young did not deliver the items but asked for more time. Major Blackwood's Return shows that after Defendant Andrew Young was again allowed to speak with counsel, Defendant Andrew Young did not deliver the items—informing Major Blackwood that "[Defendants] would not be able to immediately comply with the Order on such short notice and they would address that matter in Court before [the undersigned] as soon as possible," and that Defendants did not give Major Blackwood any of the materials identified in the Temporary Restraining Order. At this time, no attorney has appeared in this matter on behalf of Defendants.

A copy of the Return of Execution executed by Major Blackwood, a Deputy Sheriff of Orange County, has been sworn to by him and is received by the Court and is attached as Exhibit B.

The record before the Court indicates that both Defendants have failed and refused to comply with the Temporary Restraining Order, and the Court finds that there is probable cause to believe that both Defendants are in civil contempt of this Court for refusal to comply with Temporary Restraining Order issued by this Court, pursuant to N.C. Gen. Stat. § 5A-21.

For the reasons set forth in the Temporary Restraining Order and because of the Defendants' response or failure to respond to the Temporary Restraining Order, the Court finds there is good cause to convene the hearing with notice of less than five days. By signing this Order together with the verified return of the Sheriff, the undersigned intends to satisfy the requirement of a sworn statement or affidavit set forth in Section 5A-23 of the North Carolina General Statutes.

If the Court finds you in civil contempt, you may be committed to jail for as long as such civil contempt continues. Your failure to personally appear and your failure to fully comply with this order will be grounds for civil or criminal contempt for those failures.

WHEREFORE, IT IS ORDERED THAT:

1. Defendants Andrew Young and Cheri Young are hereby ORDERED to personally appear before the undersigned on Friday, 5 February 2010 at 10:00 a.m., in Superior Court at the Chatham County Courthouse in Pittsboro, North Carolina, to show cause why they should not be held in contempt for failing to comply with the Temporary Restraining Order;
2. Each of you, Defendant Andrew Young and Defendant Cheri Young are further ORDERED to bring with you to the above-referenced hearing all items called for in the Temporary Restraining Order (unless such items have otherwise been delivered to the Sheriff prior to the hearing as directed in the

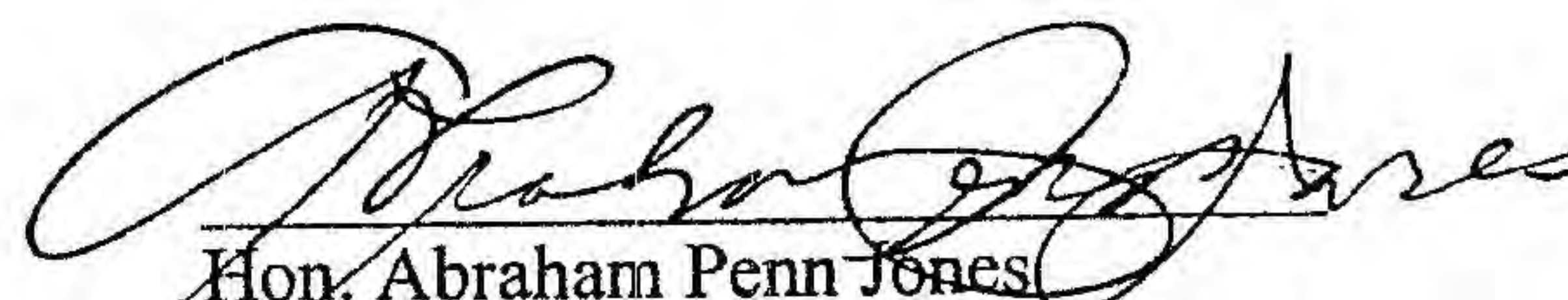
Temporary Restraining Order) and/or all video recordings, photographs, documents and other items, **including all copies of such items**, as set forth on Exhibit C, Schedule of Items and Documents to be Produced, attached;

3. Each of you, are also ORDERED to bring with you to the above-referenced hearing a complete list of each person (including name, address(es), telephone and cell phone numbers) to whom you have give any video or photograph, a part thereof or copy thereof, in whatever format, made by Rielle Hunter, with a description of what was given, how it was given and when it was given and/or the location and address of each place where such video or photograph or part or copy of such video or photograph has been deposited;

4. The Sheriff of Orange County shall serve copies of this Order forthwith upon the Defendants at [REDACTED], or by such other means as may be allowed by law; and

5. This Order may also or alternatively be served on Defendants (or either of them) in any manner allowed by law that provides the Defendant with notice of the Order including that Plaintiff's counsel may seek to have this Order served by any means allowed by law.

This the 1st day of February, 2010, at 2:00 p. m.

  
Hon. Abraham Penn Jones  
North Carolina Superior Court Judge