

# EXHIBIT 5

**FILED**  
Superior Court of California  
County of Los Angeles  
**06/01/2021**

Sherri R. Carter, Executive Officer / Clerk of Court  
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8 CAPITAL ADVISORS, LLC; CLARIA  
INNOVATIONS, LLC; and MONTO  
9 HOLDINGS PTY LTD

10 **SUPERIOR COURT OF CALIFORNIA**  
11 **COUNTY OF LOS ANGELES - NORTHWEST DISTRICT (VAN NUYS)**

13 BRILLIANT DIGITAL ENTERTAINMENT,  
INC., a Delaware corporation; EUROPLAY  
14 CAPITAL ADVISORS, LLC, a Delaware  
limited liability company; CLARIA  
15 INNOVATIONS, LLC, a Delaware limited  
liability company; and MONTO HOLDINGS  
16 PTY LTD, an Australian company,

17 Plaintiffs,

18 v.

19 PERSONALWEB TECHNOLOGIES, LLC,  
a Texas limited liability company; and DOES  
20 1 through 100, Inclusive,

21 Defendants.

CASE No. 21VECV00575

[Case assigned for all purposes to the Hon.  
Judge Bernie C. LaForteza, Department U]

**~~PROPOSED~~ ORDER FOR ENTRY OF  
PRELIMINARY INJUNCTION IN AID OF  
THE RECEIVER**

OSC Date: June 1, 2021  
Time: 8:30 a.m.  
Place: Department U

ically Received 05/20/2021 01:00 PM

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**ORDER**

1  
2 On May 10, 2021, the Court issued its Order Appointing Receiver (“Order Appointing  
3 Receiver”) whereby Robb Evans & Associates LLC was appointed as receiver (the “Receiver”) over  
4 Defendant PersonalWeb Technologies, LLC, a Texas limited liability company, in this action  
5 (sometimes referred to hereinafter as “PersonalWeb” and/or "Defendant"), on the terms separately  
6 stated in that order.

7 The Court also issued its separate Order for Temporary Restraining Order in Aid  
8 Receiver, and Order To Show Cause Re Preliminary Injunction, returnable on June 1, 2021.

9 The Court, having considered the pleadings on file in this action; Plaintiff’s *Ex Parte*  
10 Application For Appointment Of Receiver; the Declarations submitted therewith, the  
11 Memorandum of Points and Authorities in support of the Application; no opposition having been  
12 filed and having heard the argument of counsel, finds that good cause exists for the confirmation  
13 of the Receiver’s appointment, for the conversion of the temporary restraining order into a  
14 preliminary injunction and for discharge and taking off-calendar the order to show cause hearing  
15 set for June 1, 2021 ("OSC"), pursuant to the Stipulation of all Parties, submitted concurrently  
16 herewith.

17 The Court further finds that Plaintiff has filed the bonds as previously ordered by this  
18 Court; the Court further finds that the Receiver has filed his Receiver’s bond and oath as  
19 previously ordered by this Court; therefore:

20 **NOW, THEREFOR**, the Court orders as follows:

21  
22 **PRELIMINARY INJUNCTION IN AID OF RECEIVER**

23 **IT IS HEREBY ORDERED** Defendant PersonalWeb, and its respective officers,  
24 directors, agents, servants, and employees, and all persons or entities acting under, or in concert  
25 with them, or for them, are ordered to do the following and are restrained and enjoined from  
26 engaging in, or performing, directly or indirectly, any or all of the following acts:

27 (a) Interfering, hindering, or molesting in any way whatsoever the Receiver in  
28 the performance of the Receiver’s duties herein described and in the performance of any duties

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- 1 incident thereto;
- 2 (b) Failing or refusing to immediately turn over to the Receiver all premises
- 3 from which Defendant conduct business;
- 4 (c) Transferring, directly or indirectly, any interest by sale, pledge, grant of
- 5 security interest, assignment, invoice or encumbering in any manner Defendant's Collateral,
- 6 including without limitation Defendant's inventory, accounts receivable, general intangibles,
- 7 payment intangibles, and/or equipment, and all proceeds and products thereof; additionally,
- 8 Defendant shall not (i) reclassify, re-characterize, or transmute any Collateral during the pendency
- 9 of this temporary restraining order, including, but not limited to, Collateral such as notes
- 10 receivable, accounts, general intangibles, security interests, liens, encumbrances, or otherwise; or,
- 11 (ii) release any asset(s), including without limitation any security interests, UCC-1's, or other
- 12 evidence of the grant and/or perfection of any security interests; or (iii) release any tangible or
- 13 intangible property, claims, or rights; or (iv) pay over or expend any funds, monies, or proceeds
- 14 related to the Collateral, which shall all be segregated in a separate account and sequestered, prior
- 15 to turnover to the Receiver;
- 16 (d) Moving the physical location of the inventory and/or equipment of
- 17 Defendant from any location where it is conducting business, and all proceeds and products
- 18 thereof, from the Business Premises or from anywhere else;
- 19 (e) Transferring, concealing, destroying, defacing, or altering any of
- 20 Defendant's books and records;
- 21 (f) Diverting in any way any of the proceeds from Plaintiffs' Collateral,
- 22 including without limitations accounts, accounts receivable, general intangibles, payment
- 23 intangibles, equipment, and/or inventory;
- 24 (g) Causing any mail or payments by Defendant's account debtors to be
- 25 forwarded to any address, and any other existing post office box or address in the name of
- 26 Defendant, or otherwise interfering with or intercepting any mail intended for Defendant;
- 27 (h) Failing or refusing to immediately turn over to the Receiver Plaintiffs'
- 28 Collateral and all monies, checks, funds, or proceeds relating to Plaintiffs' Collateral, and failing

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1 to make available to the Receiver all books and records of Defendant relating to the Collateral; and  
2 (i) Failing to allow the Receiver, Plaintiffs, and their officers, employees, and  
3 agents, to have immediate access to all the Business Premises of Defendant and the books and  
4 records of the foregoing to enable Plaintiffs and the Receiver to review and inspect the Collateral  
5 for the purposes of accounting and appraisal.

6 **IT IS FURTHER ORDERED** that except by leave of this Court, during the pendency of  
7 the receivership ordered herein, Defendant PersonalWeb, and all of its customers, principals,  
8 investors, collectors, stockholders, lessors, other creditors, judgment holders, and other persons  
9 seeking to establish or enforce any claim, debt, right, lien, or interest against Defendant  
10 PersonalWeb, or any of its subsidiaries or affiliates, and all others acting for or on behalf of such  
11 persons, attorneys, trustees, agents, sheriffs, constables, marshals, and any other officers and their  
12 deputies, and their respective attorneys, servants, agents, and employees, be and are hereby stayed  
13 from:

14 (a) Commencing, prosecuting, continuing, or enforcing any suit, judgment,  
15 lien, levy, or proceeding against Defendant PersonalWeb, or any of its subsidiaries or affiliates,  
16 except such actions may be filed to toll any applicable statute of limitations;

17 (b) Commencing, prosecuting, continuing, or entering into any suit or  
18 proceeding in the name or on behalf of Defendant PersonalWeb, or any of their subsidiaries or  
19 affiliates, except for any pending enforcement actions by Defendant PersonalWeb concerning it  
20 intellectual property claims;

21 (c) Accelerating the due date of any obligation or claimed obligation, enforcing  
22 any lien upon, or taking or attempting to take possession of, or retaining possession of, any  
23 property of Defendant PersonalWeb, or any of its subsidiaries or affiliates, or any property  
24 claimed by any of them or attempting to foreclose, forfeit, alter, or terminate any of Defendant  
25 PersonalWeb or any of its subsidiaries' or affiliates' interests in property, including, without  
26 limitation, the establishment, granting, or perfection of any security interest or lien, whether such  
27 acts are part of a judicial proceeding, enforcement of a judgment or order, or otherwise;

28 (d) Using self-help or executing or issuing, or causing the execution or issuance

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