

JUN 29 2012

KATHERINE M. KEEFE  
Clerk of the Circuit CourtSTATE OF ILLINOIS }  
COUNTY OF MCHENRY } SS

Page 1 of 2

11 DV 324  
☐ Jury ☒ Non-Jury

Kimberly Popovich

12 MO

VS.

Thomas Popovich

Date 4/29/12

Plaintiff's  
Attorney

B. Schwarz

Defendant's  
Attorney

D. Kuzniowski

## ORDER

This cause coming on to be heard on Emergency Petition For Temporary Restraining Order and Injunctive Relief; Attorney Schwarz and Attorney Kuzniowski and Defendant present; Defendant objecting to the notice and emergency nature of the petition and requesting time to respond and set over for hearing; The Court having jurisdiction and duly advised;

The Court Finds:

1. That over the objection of Defendant and after hearing argument of ~~the~~ counsel this matter shall be heard as an emergency and further shall be heard as a summary proceeding without the taking of evidence.
2. That witnesses shall not be called nor evidence received on hearing for temporary injunctive relief.

Prepared by: \_\_\_\_\_

Attorney for: \_\_\_\_\_

Attorney Registration No.: \_\_\_\_\_ Judge \_\_\_\_\_

CIRCUIT COURT FOR THE 22ND JUDICIAL CIRCUIT

STATE OF ILLINOIS }  
COUNTY OF MCHENRY } SS

Page 2 of 2

GEN. NO. 11 DV 324  
☐ Jury ☒ Non-Jury

Kimberly Popovich 1RMO vs. Thomas Popovich

Date 6/29/12 Plaintiff's Attorney Defendant's Attorney

ORDER

3. That the case cited by Defendant, In re Marriage of Rayfield 221 Ill. App3d 763, 583 NE2d 23, is distinguishable for the reasons cited by the Court.
4. That the requirements, as set forth in In re Marriage of Rayfield for T.R.O. have been satisfied

The Court Orders:

1. That the Temporary Restraining Order shall issue.
2. That Thomas Popovich is restrained from spending, transferring or otherwise disposing of the I.R.A. funds he removed.
3. That Thomas Popovich shall provide an accounting of the funds withdrawn, how said funds were spent or used if they were.
4. That the Temporary Restraining Order shall be in effect through July 5, 2012 at 1:30 pm at which time it shall be reviewed by this Court and/or ~~the~~ a hearing (evidentiary if so desired) may be had.
5. That no bond shall be set on the restraining order.

Prepared by: Denise M. Kuzmenko

Attorney for Defendant

Attorney Registration No.: 6209574

Judge: R. A. Wilbourn