

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:14-CV-00214

ANTHONY NOBLES,

 Plaintiff,

v.

RODERICK BOYD, an Individual; KEITH
LARSEN, an individual; SOUTHERN
INVESTIGATIVE REPORTING FOUNDATION,
a North Carolina Corporation; and DOES 1 through
10, Inclusive,

 Defendants.

)
)
) **PLAINTIFF ANTHONY NOBLES'**
) **NOTICE OF EMERGENCY**
) **MOTION AND MOTION FOR**
) **TEMPORARY RESTRAINING**
) **ORDER AND PRELIMINARY**
) **INJUNCTION**
) **INJUNCTIVE RELIEF**
) **REQUESTED**
) **JURY TRIAL DEMANDED**
)
) **Hearing Date: TBD**

**TO DEFENDANTS RODERICK BOYD, KEITH LARSEN, AND THE SOUTHERN
INVESTIGATIVE REPORTING FOUNDATION:**

PLEASE TAKE NOTICE THAT Plaintiff Professor Anthony Nobles ("Prof. Nobles" or "Plaintiff"), by and through his attorneys, will hereby move, pursuant to Rule 65 of the Federal Rules of Civil Procedure, for entry of a Temporary Restraining Order and Preliminary Injunction against Defendants, Roderick ("Roddy") Boyd, Keith Larsen, and Southern Investigative Reporting Foundation ("SIRF") (collectively, "Defendants"). In support of this Emergency Motion, Plaintiff Professor Anthony Nobles will rely on its Complaint, the Memorandum of Points and Authorities, and the Declarations of John D. van Loben Sels, Plaintiff Prof. Anthony Nobles, Messrs. Terry Giles, Richard Babcock, Richard Bjorkman, and Ms. Karen Glassman, and attached exhibits.

Plaintiff's counsel called the Court's case manager on Monday morning, November 3, 2014 to provide notice of Plaintiff's intent to file this motion on an emergency basis. As demonstrated in Plaintiff's Memorandum of Points and Authorities, filed concurrently herewith, due to the on-going and irreparable harm that Prof. Nobles has endured, there is a great need for a shortened briefing schedule. Therefore, Prof. Nobles respectfully requests the Court for an expedited briefing schedule.

Plaintiff requests that the Court enter the following Order enjoining the Defendants, their agents, employees, attorneys, and any person in active concert or participation with them and each of them as follows:

1. Defendants and each of them must within 24 hours of entry of this order take all necessary steps to remove from the SIRF website the article, "The Invention of Professor Dr. Anthony Nobles" (hereinafter, the "Nobles Article") (attached as Exhibit A). Defendants and each of them must also within 24 hours of entry of this Order take all necessary steps to remove existing Twitter posts and all other social media entries on which Defendants posted all or portions of the Nobles Article.

2. Defendants are enjoined from making or publishing, in any form or format, statements that are or reference the actionable statements detailed below from the Nobles Article. Such statements specifically include:

a. "...how Nobles used a combination of imagined and overstated credentials about his schooling, his teaching career, and his success as a entrepreneur to craft his greatest invention -- the legend of himself as a medical technology renaissance man." Exhibit A at 2.

b. "So Anthony Nobles came up with what video game players call a 'cheat (<http://vgstrategies.about.com/od/faqglossary/a/WhatAreCheats.htm>),' or a shortcut around an otherwise complex problem, like, for instance, a lack of the academic credentials that make investors comfortable with medical device entrepreneurs." Exhibit A at 3.

c. "The cost to Nobles for all of this ersatz educational experience? According to federal prosecutors, \$550 for a doctorate and 50% off for a second diploma, so figure about \$825 all in." Exhibit A at 4.

d. "Note also the 16-year hiatus in conference attendance and research presentations." Exhibit A at 7.

e. "Investors would likely forgive Nobles' being a fabulist if he was able to generate a return on their capital." Exhibit A at 8.

f. “In December of 2008 Sutura effectively wound down operations with Nobles buying (back) all Sutura’s non-cash assets and \$3 million in cash for \$6.75 million.” Exhibit A at 9

g. “in 2007 Sutura negotiated a \$23 million settlement in a patent violation suit brought against Abbott Labs, Shortly after, according to the company’s 2007 10-K annual report, \$11.96 million in marketable securities were purchased at a point that year. Who got custody of these assets is not clear” Exhibit A at 9.

h. “Another investor, Croatian investor Bruno Mlinar, who met Nobles when both were in Europe racing Ferraris in 2008, gave Nobles \$2.5 million for a stake in Nobles Medical Technology and a new venture, Gyntlecare, after Nobles assured him that his company was going to be worth over \$150 million pending some Food and Drug Administration approvals.” Exhibit A at 10.

i. “He also received \$435,000 in cash from one Karen Glassman at Gyntlecare...” Exhibit A at 10.

j. “For Mlinar, it gets worse in that Nobles also talked him into shipping him a Ferrari worth what he claimed was \$750,000 on the view that Nobles would use it as collateral for financing (but somehow preserving Mlinar’s ownership.)” Exhibit A at 10.

k. “A better word for these people is ‘investors’ and with few exceptions, they appear to be correct. Anthony Nobles has a storybook life yet, according to Southern Investigative Reporting Foundation research, it appears most (if not all) of the capital he has raised has failed to earn a return.” Exhibit A at 2.

l. “SIRF reached out to Anthony Nobles four times via phone... but no calls were returned....SIRF did not ultimately secure an interview.” Exhibit A at 10.

It is clear that without a temporary restraining order, the unlawful and tortious activity on the part of Defendants will continue and cause Prof. Nobles further irreparable harm before this Court can hear Prof. Nobles' claims against Defendants.

Respectfully submitted,

Dated: November 3, 2014

/s/ Seth L. Hudson
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Dated: November 3, 2014

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