

UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

DENTAL SOURCE OF MISSOURI AND)
KANSAS, INC.)

Plaintiff,)

vs.)

NATIONAL MOBILE DENTAL CARE,)
INC. And NATIONAL MOBILE HEALTH)
CARE, LLC)

Defendants.)

Case No. 2:05-cv-2175 and
Case No. 2:05-cv-2236

NATIONAL MOBILE DENTAL CARE,)
INC.)

Third Party Plaintiff,)

vs.)

MATTHEW J. BYRON)

and)

SS&G AND ASSOCIATES, INC.,)

Third-Party)
Defendants.)

PRELIMINARY INJUNCTION

Upon the stipulation of the parties and for good cause shown

IT IS ORDERED, DECREED AND ADJUDGED THAT effective immediately upon the entry of this Order, Plaintiff Dental Source of Missouri and Kansas, Inc., Defendants National Mobile Dental Care, Inc. and National Mobile Health Care, LLC, and Third-Party Defendant SS&G, Inc. (the “Parties”) are preliminarily enjoined as follows:

- A. The Parties and their representatives are enjoined from making any written, electronic or oral communication to any dental plan participants and/or nursing home residents (*ie*, Members), responsible parties, nursing home or dental care providers which in any way suggests that (1) any Party is discontinuing to underwrite or offer its dental plans to elderly or infirm persons (*ie*, Members) residing in nursing homes in the States of Missouri and Kansas, (2) unless a person terminates his or her dental plan relationship with any party, the nursing home resident (*ie*, Member) will not receive quality dental care and/or the same level of dental care that he or she has had or is currently receiving, and (3) National Mobile Dental Care, Inc. and National Mobile Health Care, LLC cancelled the contract with Dental Source of Missouri and Kansas, Inc.
- B. The Parties and their representatives are enjoined from communicating with the Missouri or Kansas Departments of Family Services, Departments of Social Services, or any other County, State or Federal agency, for the purpose or intent of canceling the pre-existing benefits or allocation of funds for dental plan participants and/or nursing home residents (*ie*, Members), as reflected on an IM-62 or similar form that is utilized by Medicaid recipients for payment of the premium for the dental plan or services except for cancellation of dental plan participants (*ie*, Members) in their own respective dental plans and/or as required by law or state agency; and

- C. The Parties and their representatives are enjoined from making any false statement about any other party to any nursing home resident, responsible party, nursing home or dental care provider regarding any other party.

This Preliminary Injunction shall issue without bond.

S/ John W. Lungstrum
John W. Lungstrum
United States District Judge

DATED: June 17, 2005