

99.3

FILED

DEC 20 10 08 AM '05

*Shirley A. Thompson*  
CLERK

1 **ORDER**  
 2 PUOY K. PREMSRIRUT, ESQ.  
 3 Nevada Bar # 7141  
 4 GOODMAN BROWN & PREMSRIRUT  
 5 520 South Fourth Street - Suite 320  
 6 Las Vegas, Nevada 89101  
 7 Telephone: (702) 384-3939  
 8 Facsimile: (702) 385-3939

9 Attorneys for Plaintiff/Counter-Defendants/  
 10 Counter-Claimants,  
 11 VISTA CONTINENTAL CORPORATION,  
 12 LAWRENCE NASH AND ASHAK RUSTOM

9 **DISTRICT COURT**  
 10 **CLARK COUNTY, NEVADA**

12 VISTA CONTINENTAL CORPORATION, a  
 13 Delaware Corporation

14 Plaintiff,

14 vs.

15 ALBERTO DOCOUTO, an individual, MIRANDA II  
 16 MINING, (GUYANA, INC.), Foreign Entity Form  
 17 Unknown, DOES I through X, inclusive and ROE  
 18 CORPORATIONS XI through XX, inclusive,

17 Defendants.

CASE NO.: A510417  
 DEPT. NO.: XX

19 AND ALL RELATED CLAIMS

22 **ORDER DENYING DEFENDANT'S (1) MOTION TO DISMISS; (2) MOTION TO SET**  
 23 **ASIDE TRO AND PRELIMINARY INJUNCTION; AND (3) MOTION FOR INJUNCTION**

24 **AND**

25 **ORDER GRANTING PLAINTIFF'S MOTION FOR CONTEMPT AND SANCTIONS**

26 Defendant's (1) Motion to Dismiss; (2) Motion to Set Aside TRO and Preliminary  
 27 Injunction; and (3) Motion for Injunction along with Plaintiff's Counter- Motion for Contempt and  
 28 Sanctions having come on regularly for hearing on November 22, 2005, at the hour of 8:30 a.m.,

1 Plaintiff, VISTA CONTINENTAL CORPORATION, a Delaware Corporation ("VISTA"),  
2 appearing through its counsel of record, PUOY K. PREMSRIRUT, ESQ. of the law firm of  
3 GOODMAN BROWN & PREMSRIRUT, and Defendant, ALBERTO DOCOUTO, appearing  
4 through his counsel of record, DAVID MINCIN, ESQ. of the LAW OFFICES OF RICHARD  
5 MCKNIGHT; the Court having reviewed the papers submitted by the parties, and having received  
6 and considered the argument of counsel,  
7

8 **DEFENDANT'S MOTION TO DISMISS**

9 THE COURT FINDS Plaintiff presented sufficient evidence to the Court that it has filed its  
10 Application for Foreign Registration with the Nevada Secretary of State as of November 21, 2005;

11 IT IS HEREBY ORDERED Defendant's Motion to Dismiss is moot, and is therefore  
12 DENIED.

13 **DEFENDANT'S MOTION TO SET ASIDE THE TEMPORARY**  
14 **RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

15 THE COURT FINDS, that the Temporary Restraining Order ("TRO") has been dissolved by  
16 application of law and based on such finding, the Motion to Set Aside the TRO is moot; and

17 IT IS HEREBY ORDERED that Defendant's Motion to Set Aside the TRO is DENIED.

18 THE COURT FINDS, upon reconsideration of the Order on Preliminary Injunction, Plaintiff  
19 Vista Continental enjoys a reasonable likelihood of success on the merits in the instant case;

20 THE COURT FURTHER FINDS, upon reconsideration of the Order on Preliminary  
21 Injunction, irreparable harm and injury would result to Plaintiff if Defendant's conduct set forth in  
22 the Order on Preliminary Injunction was not enjoined;

23 IT IS HEREBY ORDERED, based on such findings, Defendant's Motion to Dissolve the  
24 Preliminary Injunction is DENIED;

25 IT IS FURTHER ORDERED THAT the Order for Preliminary Injunction shall remain in  
26 full force and effect and binding on both Parties;

27 ///

28 ///

1 IT IS FURTHER ORDERED THAT both Parties shall appear before the Court at the Status  
 2 Hearing on December 6, 2005, to determine the amount of any bond to be posted by either Party, if  
 3 the court so orders; and

4 IT IS FURTHER ORDERED THAT this Court's reservation of determination on bond for  
 5 the status hearing date shall not render the Order on Preliminary Injunction ineffective.

6  
 7 **DEFENDANTS MOTION FOR INJUNCTION**

8 THE COURT FINDS Defendant has not established a reasonable likelihood of success on  
 9 the merits and will not sustain irreparable harm or injury if Plaintiff's conduct is not enjoined;

10 IT IS HEREBY ORDERED that based on such findings, Defendant's Motion for Injunction  
 11 is DENIED;

12 IT IS FURTHER ORDERED, based on the representations and stipulation of the Parties,  
 13 respectively, Plaintiff shall not issue or caused to be issued, any new shares of stock in Vista  
 14 Continental Corporation, and Defendant DoCouto's acquisition of any additional shares of stock  
 15 shall not relate back to prior ownership calculations should this Court determine whether DoCouto  
 16 is a majority shareholder.

17  
 18 **PLAINTIFF'S COUNTER-MOTION FOR CONTEMPT AND SANCTIONS**

19 THE COURT FINDS that Judge Glass' Order on Plaintiff's Motion for Preliminary  
 20 Injunction enjoined both parties from engaging in certain conduct and activities, and based upon  
 21 such finding, constitutes a Joint Preliminary Injunction;

22 THE COURT FURTHER FINDS that the Order enjoined DoCouto from various activities,  
 23 including prohibiting DoCouto from holding himself out as an officer or board member of Vista  
 24 Continental Corporation, and from causing problems for Vista;

25 ///  
 26 ///  
 27 ///  
 28

1 THE COURT FURTHER FINDS, based on the evidence and affidavits presented to the  
 2 Court, that DoCouto has publicly filed documents with the Delaware Secretary of State, the Nevada  
 3 Secretary of State, and the Securities and Exchange Commission, holding himself out as a Director  
 4 and/or Officer of Vista Continental Corporation, in violation of the Injunction;

5 THE COURT FURTHER FINDS based on the evidence and affidavits presented to the  
 6 Court, that DoCouto represented himself as the sole Director of Vista to the Signature Stock  
 7 Transfer Agent, and interfered with Vista's business, also in violation of the Injunction;

8 THE COURT FURTHER FINDS based on the evidence and affidavits presented to the  
 9 Court, that DoCouto took funds in the amount of \$85,000 from Vista's bank account at Nevada  
 10 State Bank, also in violation of the Injunction;

11 THE COURT FURTHER FINDS that the issue of whether DoCouto is a majority  
 12 shareholder of Vista is not a defense to DoCouto's unilateral actions taken in violation of the  
 13 Injunction;

14 THE COURT FURTHER FINDS that Attorney David Mincin, Esq. and Charlton Roxas  
 15 have not committed any acts that are before the Court, in violation of the Injunction;

16 IT IS HEREBY ORDERED that based upon such findings, DoCouto shall be held in  
 17 contempt of court and subject to sanctions to be determined and imposed by the Court at the status  
 18 hearing on December 6, 2005;

19 IT IS FURTHER ORDERED that DoCouto shall take any and all actions necessary to return  
 20 Vista to the status quo by correcting all statements, filings, representations and acts committed in  
 21 violation of the Injunction;

22 IT IS FURTHER ORDERED that Plaintiff correspond with DoCouto's counsel, to  
 23 enumerate those acts that Plaintiff requires DoCouto to rectify, and to transmit a copy of such  
 24 correspondence to the Court for review and consideration;

25 IT IS FURTHER ORDERED that DoCouto shall act immediately from the date of the  
 26 November 22, 2005 hearing; and

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IT IS FURTHER ORDERED that additional sanctions and provisions, including any award of fees, costs or monetary sanctions be determined and imposed by the Court at the hearing on December 6, 2005.

IT IS SO ORDERED.

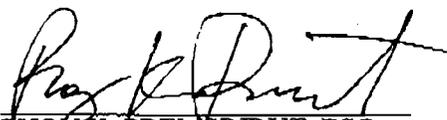
DATED this 19<sup>th</sup> day of December 2005.

  
\_\_\_\_\_  
DISTRICT COURT JUDGE ③

Submitted by:

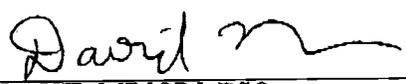
GOODMAN BROWN & PREMSRIRUT

By:

  
\_\_\_\_\_  
PUOY K. PREMSRIRUT, ESQ.  
Nevada Bar #7141  
520 S. Fourth Street - Suite 320  
Las Vegas, Nevada 89101  
Attorneys for Plaintiff/Counter-Defendants/  
Counter-Claimants,  
VISTA CONTINENTAL CORPORATION,  
LAWRENCE NASH AND ASHAK RUSTOM

Approved as to Form ~~and Content~~

LAW OFFICES OF RICHARD MCKNIGHT

  
\_\_\_\_\_  
DAVID MINCIN, ESQ.  
Nevada Bar # 5427  
330 S. Third Street - Suite 900  
Las Vegas, Nevada 89101  
Attorneys for Defendants

## District Case Inquiry - Minutes

Home	Case 05-A-510417-B	Status ACTIVE
Summary	Plaintiff Vista Continental Corp	Attorney Premsrirut, Puonyarat K.
Case Activity	Defendant Docouto, Alberto	Attorney Mincin, David
Calendar	Judge Wall, David	Dept. 20
Continuance		
Minutes		
Parties	Event 11/22/2005 at 08:30 AM	ALL PENDING MOTIONS 11/22/05
Judgments	Heard By Wall, David	
District Case	Parties 0001 - Vista Continental Corp	No
Party Search	P1	
Corp. Search	007141 Premsrirut, Puonyarat K.	Yes
Atty. Search	0002 - Docouto, Alberto	Yes
Bar# Search	D1	
ID Search	005427 Mincin, David	Yes
Calendar Day	0003 - D Miranda III Mining Guyana Inc	No
Holidays	0004 - D Miranda I Mining Guyana Inc	No
Help	0005 - Docouto, Alberto	No
Comments & Feedback	CO	
Legal Notice	0006 - West Nevada Precious Corp	No
	CO	
	0007 - Tamers Management Ltd	No
	CO	
	0008 - Miranda I Mining	No
	CO	
	0009 - Miranda II Mining	No
	CO	
	0010 - Vista Continental Corp	No
	DC	
	0011 - Nash, Lawrence	Yes
	DC	
	007141 Premsrirut, Puonyarat K.	Yes
	0012 - Rushtom, Ashok	Yes
	DC	
	007141 Premsrirut, Puonyarat K.	Yes

DEFT DOUCOTO'S MOTION TO DISMISS/MOTION TO SET ASIDE TRO AND PRELIMINARY INJUNCTION/MOTION FOR INJUNCTION...PLTF'S COUNTERMOTION FOR CONTEMPT AND SANCTIONS

Charlton Roxas also present.

Ms. Premsrirut provided Mr. Mincin a printout from the Secretary of State database. Upon Court's inquiry, Mr. Mincin advised the motion to dismiss based on failure to register is moot. Arguments by counsel regarding bond issue. Argument by Mr. Mincin at to inappropriate injunction. Mr. Mincin asked Court to dismiss the case without prejudice. Court noted its concerns regarding violations of the injunction by Mr. DoCouto. Argument by Mr. Mincin. Argument by Ms. Premsrirut.

## Blackstone Civil/Criminal/Probate Court Case Inquiry

Page 2 of 2

Court stated its findings and ORDERED, Motion to Dismiss DENIED as to good standing issue since it is now moot. Motion to Set Aside Preliminary Injunction based on failure to set and post bond DENIED. Motion to Set Aside Injunction due to lack of merit DENIED. Motion to Enjoin Nash, Rushtom and Vista From Taking Any Corporate Action Until Vista Is Registered DENIED since it is now moot. Motion to Enjoin Issuance of New Stock GRANTED, Pltf. did not dispute and has no plans to issue more. That will be added as a condition of Joint Injunction at least for the time being absent some application to Court on Vista's behalf. In all other respects, including payment of loan, Def't's Motion for Injunction DENIED.

Court stated its findings and ORDERED, Pltf's Crossmotion for Contempt DENIED as to Roxas and Mincin, GRANTED as to DoCouto as to all of his actions to usurp the current board and reinstate self. Court will withhold a determination and will stay any order with respect to contempt sanctions for DoCouto to do what he needs to do to undo his actions. Statement by Mr. DoCouto. COURT ORDERED, status check SET in two weeks to see what progress has been made on this issue. Ms. Premserlut may prepare a list of DoCouto's actions in violation of Joint Injunction and forward it to Mr. Mincin and Court. Court noted the speed of actions taken by Mr. DoCouto to undo the violations will have an influence on any contempt sanctions. The other issue to address is whether it is necessary to set an evidentiary hearing to determine if DoCouto is majority shareholder.

Mr. Mincin advised the \$85,000 cashier's check will be turned over to Pltf's counsel. Court directed him to do that by close of business today.

Ms. Premserlut to prepare Order.

12/8/05 8:30 AM STATUS CHECK

---

**Due to time restraints and individual case loads, the above case record may not reflect all information to date.**

---

Top Of Page

Generated by BLACKSTONE ... the Judicial System  
© 2005 All Rights Reserved, CMC Software