

# Exhibit 5



Virginia:

In the Circuit Court of the City of Richmond, John Marshall Courts Building

ATLANTIC WAVE HOLDINGS, LLC.  
AND SECURE COMMUNITY, LLC.

*Plaintiff,*

v.

Case No. CL24-3910

CYBERLUX CORPORATION and  
MARK SCHIMDT, individually

*Defendants.*

**ORDER**

On January 2, 2026 Defendants Cyberlux Corporation and Mark D. Schimdt, by counsel,<sup>1</sup> filed an “Emergency Motion to Reconsider and Vacate Consent Final Order and To Suspend Execution Pending the Court’s Ruling.” Plaintiffs’ counsel for Atlantic Wave Holding, LLC, and Secure Community, LLC, subsequently filed a “Response in Opposition to Motion to Reconsider.”<sup>2</sup> The Court **DENIED** Defendants’ request to file a Reply.

Upon reviewing the parties’ current filings, the Court **ORDERS** that its prior ruling **STANDS**. Accordingly, the Court hereby **DENIES** Defendants’ Motion to Reconsider and **TERMINATES** the suspension of the “Consent Final Order.” The Court **ORDERS** the “Consent Final Order” effective as of the entry date of this Order.

Pursuant to Rule 4:15(d) of the Supreme Court Rules of Virginia, the Court hereby **DENIES** the parties’ request for a hearing, and further **VACATES AND RELEASES** the previously scheduled hearing set for February 24, 2026 at 9:00 a.m. The parties are released from their appearances.

The Clerk is **DIRECTED** to forward a certified copy of this Order to the parties.

<sup>1</sup> Jimmy Robinson, Esq., representing the Defendants.

<sup>2</sup> Charles Gavin, Esq., representing the Plaintiffs.

The Court **DISPENSES** with the parties' endorsements pursuant to Rule 1:13.

It is so **ORDERED**.

ENTER: 2 5 2026

  
Jacqueline S. McClenney, Chief Judge