

FILED

Chris Daniel
District Clerk

SEP 27 2017

Time: _____
By _____
Harris County, Texas

CAUSE NO. 2017-52435

RUBICON GLOBAL, LLC

Counter-Claimant

v.

WASTE CONNECTIONS OF
TEXAS, LLC

Counter-Defendant

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§
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§
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§
§
§

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

125th JUDICIAL DISTRICT

P. 3
TROX
STANX
CASE

**ORDER GRANTING COUNTER-CLAIMANT'S
APPLICATION FOR TEMPORARY RESTRAINING ORDER**

After considering Counter-Claimant Rubicon Global, LLC's application for temporary restraining order on behalf of Sterling Plaza Merchants Association ("SPMA"), the pleadings, the evidence in the record, and the arguments of counsel, the Court GRANTS the application. The Court FINDS that Rubicon has shown through the evidence that SPMA has a probable injury, a probable right to recovery, and has demonstrated irreparable harm through no adequate remedy at law. The Court FINDS that if the Court does not issue the requested temporary restraining order, SPMA will be irreparably injured because it will continue to be deprived of the use and enjoyment of its premises due to a continuing, unauthorized trespass by Counter-Defendant Waste Connections of Texas, LLC ("Waste Connections").

Therefore, the Court ORDERS as follows:

1. Counter-Defendant Waste Connections is ordered to remove all Waste Connections dumpsters and equipment from the premises located at 9888 Bellaire Boulevard, Houston, Texas 77036, within ~~twenty-four~~ ^{seventy-two} (24) hours of entry of this Order;
2. Waste Connections and all other persons or entities in active concert or participation with Waste Connections who receive actual notice of this Order by personal service or

otherwise are enjoined and restrained from returning Waste Connections dumpsters and equipment to the premises located at 9888 Bellaire Boulevard, Houston, Texas 77036 without prior written authorization by SPMA;

~~3. Waste Connections and all other persons or entities in active concert or participation with Waste Connections who receive actual notice of this Order by personal service or otherwise are enjoined and restrained from destroying, altering, concealing or modifying any information, materials, documents, communications, or records (whether in electronic or hard copy form) in any way related to (a) Waste Connections' relationship with SPMA and (b) Waste Connections' actions concerning 9888 Bellaire Blvd., Houston, Texas 77036;~~

~~4. Waste Connections is ordered to identify and segregate all documents or materials, whether in electronic or hard copy form, concerning its relationship with SPMA and Waste Connections' actions concerning 9888 Bellaire Blvd., Houston, Texas 77036, and to make such documents or materials available to counsel for Counter-Claimant Rubicon Global, LLC for inspection in unredacted form within seventy-two (72) hours of this Order;~~

~~5. Waste Connections is ordered to present a corporate representative for deposition at a mutually convenient time and place prior to October 6, 2017;~~

~~6. Counter-Claimant Rubicon Global, LLC is permitted to review any Waste Connections internal documents only through its outside and in-house counsel pending further orders of this Court;~~

7. The clerk shall issue notice to Waste Connections that the hearing on Counter-Claimant's request for temporary injunction is set for October 6, 2017 at 11:00am. The purpose of the hearing will be to determine whether this temporary restraining order should be made a temporary injunction pending a full trial on the merits; and

8. Bond for this temporary restraining order is set at \$ 1,000.00

This order expires on October 11, 2017 at midnight.

SIGNED this 27th day of September, 2017 at 3:49 PM.

Vernice Hall
ANCILLARY JUDGE PRESIDING

CAUSE NUMBER 2017-52435

Rubicon Global, LLC
PETITIONER

§

IN THE DISTRICT COURT OF

§

HARRIS COUNTY, TEXAS

VS.
Waste Connections of Texas, LLC
RESPONDENT

§

125th JUDICIAL DISTRICT

**CLERK'S CERTIFICATE OF CASH DEPOSIT IN LIEU
OF INJUNCTION BOND PER ORDER OF THE COURT**

THE STATE OF TEXAS §
COUNTY OF HARRIS §

THIS DOCUMENT IS TO CERTIFY that I, the undersigned Clerk of the District Courts of Harris County, Texas have received a cash deposit, as ordered by the Court, in the amount of one thousand Dollars (\$ 1,000.00), to be deposited with the Registry of the Court in lieu of a Temporary Restraining Order Bond or a Temporary Injunction Bond, as required by Rule 684, T.R.C.P., in the above styled and numbered cause as provided by the order entered on the 27th day of September, 2017

This cash deposit is made and received in lieu of TEMPORARY RESTRAINING ORDER or TEMPORARY INJUNCTION, conditioned that the applicant will abide the decision which may be made in the cause, and that he will pay all sums of money and costs that may be adjudged against him if the restraining order or temporary injunction shall be dissolved in whole or in part, and this certificate is issued to have the force and effect of a TEMPORARY RESTRAINING ORDER BOND OR A TEMPORARY INJUNCTION BOND in accordance with the Order of the Court.

WITNESS my hand and seal of office this 27 day of

Sept

A.D., 20 17

FILED

Chris Daniel
District Clerk

SEP 27 2017

Time: 3:01

Harris County, Texas

By [Signature]

Deputy

Chris Daniel, District Clerk
Harris County, Texas
Po Box 4651
Houston, Texas 77210-4651

By: [Signature]

Deputy District Clerk

Principal: _____

Attorney: Christina A. Bryan


Bar Number: 03264000

TO REORDER VISIT WWW.CAROUSELCHECKS.COM

J. Hoke Peacock III
Christina A. Bryan
3314 Sackett Street
Houston, TX 77098

10635
37-65/1119

Date Sept. 27, 2017

Pay to the order of Harris County District Clerk \$ 1,000.00
One thousand dollars ⁰⁰/₁₀₀ ————— Dollars  Security Features Details on Back

Wells Fargo Bank, N.A.
Texas
www.wellsfargo.com

for TRD Bond

Christina A. Bryan MP


⑆111900659⑆ 3114581311⑈ 10635

TO REORDER VISIT WWW.CAROUSELCHECKS.COM

J. Hoke Peacock III
Christina A. Bryan
3314 Sackett Street
Houston, TX 77098

10634
37-65/1119

Date Sept. 27, 2017

Pay to the order of Harris County District Clerk \$ 4.00
four dollars ⁰⁰/₁₀₀ ————— Dollars  Security Features Details on Back

Wells Fargo Bank, N.A.
Texas
www.wellsfargo.com

for Fee for Bond

Christina A. Bryan MP

⑆111900659⑆ 3114581311⑈ 10634