

FILED

Chris Daniel
District Clerk

JUN 19 2017

Time: _____
Harris County, Texas

By: _____
Deputy

NO. 2017 40743

HOUSTON BAR ASSOCIATION and
HOUSTON BAR FOUNDATION,

Plaintiffs,

vs.

WALSH & PADILLA, PLLC,

Defendant.

§
§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT

HARRIS COUNTY, TEXAS

113 JUDICIAL DISTRICT

P.3
TROR +
STBN +
CASO

TEMPORARY RESTRAINING ORDER

On this day came on to be heard the Application for Temporary Restraining Order of Plaintiffs Houston Bar Association ("HBA") and Houston Bar Foundation ("HBF") (collectively, "Plaintiffs"). This Court, after considering Plaintiffs' Verified Original Petition, Application for Temporary Restraining Order, and Application for Temporary Injunction, the evidence, and arguments of counsel, finds that there is credible evidence that:

1. There is a reasonable probability that Plaintiffs will establish that Walsh & Padilla, PLLC ("Walsh & Padilla") defamed Plaintiffs via Walsh & Padilla's false statement that it is a member of both HBA and HBF. Additionally, there is reasonable probability that Plaintiffs will establish that Walsh & Padilla infringed Plaintiffs' trademarks and misappropriated Plaintiffs' names and likeness.

2. Plaintiffs have probable injury. If Walsh & Padilla is allowed to continue to use the names and logos of HBA and HBF on its website, Plaintiffs will suffer harm to their reputation.

RECORDER'S MEMORANDUM:
This instrument is of poor quality
at the time of Imaging

3. The Court finds that if Walsh & Padilla's activities are not immediately enjoined, Plaintiffs are likely to suffer imminent and irreparable harm. Plaintiffs have suffered, and will continue to suffer, imminent harm because Walsh & Padilla's activities are ongoing. Moreover, the harm is irreparable because there is no way to know the extent of the damages Plaintiffs will suffer; therefore, they cannot be measured by any certain pecuniary standard.

4. Walsh & Padilla will not be harmed if injunctive relief is granted because the injunctive relief will merely enjoin Walsh & Padilla from continuing its illegal and fraudulent activity, namely operating its fictitious website and misappropriating the names and images of HBA, HBF, and several attorneys.

IT IS THEREFORE ORDERED that Walsh & Padilla, PLLC and its agents, employees, servants, representatives and all other persons or entities in active concert or participation with it, including any internet, server, or webhosting company ("Defendants"), and who receive notice of this Order by personal service or otherwise, be and hereby are enjoined as follows:

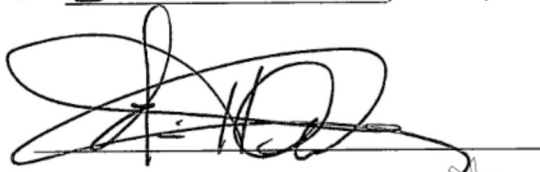
Defendants are enjoined from continued operation and hosting of the website walshpadillalaw.com or any similar website. The website must be taken down by Defendants or any other entity having control of or access to the website immediately upon receipt of this Order.

IT IS FURTHER ORDERED, that Plaintiffs shall file a surety bond or cash deposit in lieu of bond in the amount of \$ 50⁰⁰ to support the issuance of this Temporary Restraining Order.

IT IS FURTHER ORDERED that a hearing on Plaintiffs' Application for Temporary Injunction will be heard on June 30, 2017 at 2:00 p.m. to determine whether a temporary injunction should issue in this matter.

This Order expires after fourteen (14) days, unless further extended by this Court or by agreement of the parties.

ENTERED this 19th day of June, 2017, at 3:38 p.m.
a.m./p.m.



JUDGE PRESIDING

Unofficial Copy Office of Chris Daniel District Clerk