

COLONY RIDGE DEVELOPMENT, LLC,	§	IN THE DISTRICT COURT OF
	§	
Plaintiff,	§	
	§	
VS.	§	LIBERTY COUNTY, TEXAS
	§	
LEE ANN PENTON-WALKER,	§	
	§	
Defendant.	§	75 th JUDICIAL DISTRICT

ORDER ON PLAINTIFF’S MOTION FOR EXTENSION OF TEMPORARY RESTRAINING ORDER AND HEARING ON TEMPORARY INJUNCTION

ON THIS DAY came on to be considered Plaintiff/Applicant Colony Ridge Development, LLC’s (“Colony Ridge”) Motion for Extension of Temporary Restraining Order and Hearing on Temporary Injunction (“Motion”). After considering the Motion and pleadings on file, the Court finds that the Motion is meritorious and Grants the Motion as outlined in A below, or alternatively as outlined in B below.

A. _____ It is therefore ORDERED that Colony Ridge’s Motion for Extension of Temporary Restraining Order and Hearing on Temporary Injunction is hereby GRANTED. The Court finds that there is good cause to grant the extension of the Temporary Restraining Order. Specifically, good cause exists because as of the filing of Plaintiff’s Motion, Defendant had not yet been served with citation of the Original Petition or the Temporary Restraining Order. Further, good cause exists so as to enable to the parties additional time to engage in meaningful limited and expedited written discovery and to conduct depositions in advance of the hearing on the temporary injunction. Accordingly, pursuant to Texas Rule of Civil Procedure 680, the Temporary Restraining Order that was signed by this Court on March 21, 2016 and entered of record

on March 22, 2016 is hereby extended and set to expire on April 18, 2016. Further, the hearing on the temporary injunction is re-set for a date on or before April 18, 2016 as follows: April ____, 2016 at _____ a.m./p.m.

B. _____ It is therefore ORDERED that Colony Ridge's Motion for Extension of Temporary Restraining Order and Hearing on Temporary Injunction is hereby GRANTED in part. The Court finds that there is good cause to grant the extension of the Temporary Restraining Order. Specifically, the Temporary Restraining Order signed by this Court on March 21, 2016 and set to expire on April 4, 2016 is hereby extended for an additional 14 days pursuant to Texas Rule of Civil Procedure 680 and 687(e) and now expires on April 18, 2016. Good cause exists because as of the filing of Plaintiff's Motion, Defendant had not yet been served with citation of the Original Petition or the Temporary Restraining Order. Further, good cause exists so as to enable the parties additional time to engage in meaningful limited and expedited written discovery and to conduct depositions in advance of the hearing on the temporary injunction. The hearing on the temporary injunction remains set for April 7, 2016 at 1:30 p.m.

By this Order, the Court does the following:

- a. Restrains Defendant Lee Ann Penton-Walker from making false statements about Colony Ridge's developments, including, without limitation, telling third parties that Colony Ridge's developments do not have proper roads, water, sewer or electrical services; telling third parties that Colony Ridge is violating state, county, and municipal regulations; telling third parties that

Colony Ridge is depreciating property values; telling third parties that Colony Ridge is increasing crime; telling third parties that Colony Ridge is depreciating property values and/or increasing crime due to selling property to documented and/or undocumented Hispanics, Latinos, or Mexicans; and telling third parties that Colony Ridge is building barrios or Colonias.

- b. Restrains Defendant Lee Ann Penton-Walker from destroying or altering any documents communications, emails, text messages or other forms of communications that relate to Colony Ridge and its developments, stored in hardcopy or any other form that may be relevant to this litigation.
- c. Orders the Clerk to issue notice to Defendant Lee Ann Penton-Walker that the hearing on Plaintiff Colony Ridge Development, LLC's application for temporary injunction is set for April ____, 2016, at _____ a.m./p.m. The purpose of the hearing will be to determine whether a temporary restraining order should be made a temporary injunction pending a full trial on the merits.
- d. Bond has been set at \$5,000.00, which has already been paid.

SIGNED this ____ day of _____, 2016

JUDGE PRESIDING

APPROVED AND ENTRY REQUESTED:

COATS ROSE, P.C.

By: /s/ Robert N. Hancock, Jr.

Robert N. Hancock, Jr.

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