

2022-69870 / Court: 234

CAUSE NO. _____

IHAB S. AHMED

v.

BANKUNITED, N.A.

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

_____ JUDICIAL DISTRICT

TEMPORARY RESTRAINING ORDER

ON THIS DATE Plaintiff's Application for Temporary Restraining Order was heard and considered before this Court. Based upon the pleadings, exhibits, records, and documents filed by the and presented to the Court, as well as the arguments of legal counsel at the hearing, IT CLEARLY APPEARS THAT:

A. Unless BankUnited, N.A., its agents, employees, directors, shareholders, and legal counsel are immediately enjoined and restrained, BankUnited, N.A. will proceed with a foreclosure sale of the property commonly known as 12500 Oxford Park Dr Houston, TX 77077 and Plaintiff will suffer an immediate and irreparable harm and will have no adequate remedies under the law, and may commit the foregoing before notice and hearing on Plaintiff's Application for Temporary Injunction.

B. Plaintiff will suffer an irreparable harm if BankUnited, N.A., its agents, employees, directors, shareholders, and legal counsel are not restrained immediately because Plaintiff is the personal guarantor of the Note and President of the entity which owns the property and will lose fee simple title and ownership of the Property which is unique and irreplaceable and there is no adequate remedy at law to grant Plaintiff complete, final, and equitable relief.

C. Plaintiff has provided notice to BankUnited, N.A. informing them of the filing of Plaintiff's Application for Temporary Restraining Order prior to this Court conducting this hearing. (And Counsel appeared, offering urgent advocacy in hearing, and post-hearing, with the Court's approval.)

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that BankUnited, N.A., its agents, employees, directors, shareholders, and legal counsel are hereby ORDERED to immediately cease and desist from attempting or proceeding with any foreclosure sale of the property commonly known as 12500 Oxford Park Dr Houston, TX 77077. BankUnited, N.A., its agents, employees, directors, shareholders, and legal counsel are hereby immediately enjoined and restrained from the date of entry of this Order until fourteen (14) days hereafter, or until further ordered by this Court.

IT IS FURTHER THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff's Application for Temporary Injunction be heard on the 07 day of November, 2022 starting at 11:30 a.m./p.m. and that BankUnited, N.A. is commanded to appear at that time and show cause, if any, why a temporary injunction should not be issued against BankUnited, N.A.

in the 234th Civil District Court, 201 Caroline Street, Houston, Texas 77002,

The Clerk of the above-entitled court shall issue a notice of entry of a temporary restraining order in conformity with the law and the terms of this Order, to include a copy of this Order, upon the filing by Plaintiff of the bond hereinafter set.

This Order shall not be effective until Plaintiff deposits with the Harris County District Clerk a bond in the amount of \$ 13, 833.00 (Thirteen thousand eight hundred and thirty-three dollars) in due conformity with applicable law.

SIGNED and ENTERED this the _____ day of October 2022, at _____ a.m./p.m.

Signed:
10/28/2022
12:49 PM



PRESIDING JUDGE