

CAUSE NO. 202433028

EUNICE LEE OVERSTREET

V.

SELECT PORTFOLIO
SERVICES, INC. and BERGEN
GROUP, LLC

STATE OF TEXAS

COUNTY OF HARRIS

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IN THE DISTRICT COURT

OF HARRIS COUNTY, TEXAS

11TH JUDICIAL DISTRICT

KNOW ALL THESE BY MEN PRESENTS:

AMENDED TEMPORARY RESTRAINING ORDER

ON THIS DATE the Plaintiff's Application for Temporary Restraining Order that was incorporated into and pled in Plaintiff's Original Petition, Application for Injunctive Relief, and Request for Disclosures ("Petition") in this cause, was heard and considered before this Court.

Based upon the pleadings, exhibits, records, and documents filed by Plaintiff and presented to the Court, as well as the arguments of legal counsel at the hearing, ~~IT CLEARLY~~ The Court ORDERS as follows:

~~APPEARS THAT:~~

- ~~A. Unless Bergen Group, ("Defendant"), their agents, employees, directors, shareholders, and legal counsel is/are immediately enjoined and restrained, Defendant may sell the Property at any time during the pendency of this matter thus depriving Plaintiff of ownership of the Property identified in the Petition and potentially causing Plaintiff to be dispossessed of the Property. Additionally, Defendant has already initiated the eviction process and has a filed a forceable detainer action. Plaintiff will suffer an immediate and irreparable harm and will have no adequate remedies under the law, and Defendant may commit the foregoing before notice and hearing on Plaintiff's Application for Temporary Injunction. Restraining Order should be GRANTED.~~

B. Plaintiff will suffer an irreparable harm if Defendant, their agents, employees, directors, shareholders, and legal counsel are not restrained immediately because Defendant is attempting to evict Plaintiff from her property on May 28, 2024 via a forceable detainer action. This is real property and Plaintiff's residence, is unique and irreplaceable, and there is no adequate remedy at law to grant Plaintiff complete, final, and equitable relief.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Defendant, their agents, employees, directors, shareholders, and legal counsel are hereby ORDERED to immediately cease and desist from taking any further action in pursuit of selling the Property which is the subject matter of this lawsuit and is commonly known as 1201 Bering Dr. #83, Houston, TX 77057 as well as from taking any legal action to evict Plaintiff and any other occupants from, or enforcing a writ of possession regarding the aforementioned property. Defendant, their 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 03 day of ~~October, 2023~~ June, 2024 starting at 2:30 ~~a.m.~~/p.m. in the courtroom of the 11th District Court of Harris County located at in the Harris County Courthouse, 201 Caroline Street, Houston, Texas 77002 and that Defendant is commanded to appear at that time and show cause, if any, why a temporary injunction should not be issued against Defendant.

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
The bond \$100.00 has already been paid.
~~bond in the amount of \$ _____, in due conformity with applicable law.~~ The bond may be in the
form of cash, cashier's check, or a check drawn from operating account of Plaintiff's attorney's law firm.

SIGNED and ENTERED this the _____ day of May, 2024 at _____ a.m./p.m.

Signed:
5/28/2024
11:45 AM

Cheryl E. Dixon Thornton

JUDGE PRESIDING

Unofficial Copy Office of Marilyn Burgess District Clerk