1/3/2025 10:28:42 PM Marilyn Burgess - District Clerk Harris County

Envelope No: 95854229 By: PEREZ, GERARDO

2025-00581 / Court: 234

TODD EDWARDS	§	IN THE DISTRICT COURT
Plaintiff,	§ §	
	§ 8	
	§	
V.	§ §	S .
MORTGAGE ELECTRONIC REGISTRATION	§ §	SUDICIAL DISTRICT
SYSTEMS, INC., EVERBANK, LOAN CARE,	8	CDICIAL DISTRICT
LLC and their successors and assigns	§ §	
Defendants.	§	OF HARRIS COUNTY

TEMPORARY RESTRAINING ORDER AND ORDER SETTING HEARING FOR TEMPORARY INJUNCTION

The Court upon considering Todd Edwards, Plaintiff, application for temporary restraining order, the pleadings, the affidavits, and the arguments of counsel, finds there is evidence of harm that is imminent to Plaintiffs and if the issuance of the temporary restraining order is not granted Plaintiff will be irreparably injured because the trustees present an imminent threat of irreparable harm to Plaintiff in the form of the Defendants', and/or its/their agents, employees, attorneys, trustees, or substitute trustees stated threat and intent to proceed with the foreclosure sale of Plaintiff's homestead property unless this Court immediately restrains such acts or conduct as requested herein.

The Court further finds an ex parte order without notice to Mortgage Electronic Registration Systems, Inc., Everbank, Loan Care, LLC and their successors and/or assigns Defendants, is necessary because time is insufficient to give notice, hold a hearing, and issue a restraining order before the harm of irreparable injury, damage, or loss would occur in that:

- A. That unless Defendants its/their successors and/or assigns ("Defendants"), is immediately restrained and enjoined, the Defendants will proceed with efforts to foreclose on Plaintiffs homestead property described in his Petition, and Plaintiff will suffer an immediate and irreparable harm and will have no adequate remedies under the law on Plaintiffs homestead property described in their petition, and the Defendants will commit the foregoing before notice and a hearing on Plaintiffs Application for Temporary Injunction.
- B. Plaintiff will suffer an immediate and irreparable harm if the Defendants, and/or any of its/their agents, employees, attorneys, trustees, substitute trustees, successors and/or assigns are not restrained immediately because Plaintiff will lose fee simple title, ownership and possession of its property, which is unique and irreplaceable, and there is no adequate remedy at law to grant Plaintiff complete, final, and equitable relief.

THEREFORE, IT IS ORDERED by this Court as follows:

- 1. Mortgage Electronic Registration Systems, Inc., Everbank, Loan Care, LLC and their successors and/or assigns, Defendants and all of their agents, attorneys, employees, officers, and successors and assigns are restrained and **ORDERED** to immediately cease and desist from foreclosing on the property that is the subject of this suit from the entry of this order until further order of this Court.
- 2. The Clerk is **ORDERED** to issue notice to Mortgage Electronic Registration Systems, Inc., Everbank, Loan Care, LLC and their successors and/or assigns Defendants, that hearing is set for exparte hearing by submission on Plaintiff's application for temporary injunction.

\$11.543.00

IT IS ORDERED that bond is set at \$100 and this order shall not be effective until Todd Edwards deposits the full bond amount with the Clerk.

The Temporary Injunction hearing is set for January 20, 2025 at 11:30 am.

SIGNED	ON

Signed: 1/7/2025 9:46 AM

Rober Sotton Callier