

CAUSE NO. 348-303736-18

LINDA L. MORRISSEY, LUDMILLA	§	IN THE DISTRICT COURT
B. MUNS, RICHARD MUELLER,	§	
KARI PERKINS, KEVIN PERKINS,	§	
PAMELA HOLT AND A-1	§	
COMMERCIAL AND RESIDENTIAL	§	348th JUDICIAL DISTRICT
SERVICES, INC.	§	
	§	
VS	§	
	§	
CITY OF GRAPEVINE, TEXAS	§	TARRANT COUNTY, TEXAS

ORDER GRANTING TEMPORARY INJUNCTION

On November 6, 2018, this Court considered the Plaintiffs’ Application for a Temporary Injunction in this cause. Plaintiffs appeared in person and by their attorneys of record, William R. (Butch) Korb and Graigory B. Fancher. Defendant appeared through its attorney of record, Matthew Boyle. The parties announced ready for a trial and presented their evidence, arguments of counsel, rested, and closed.

The Court, after hearing the evidence and arguments of counsel, is of the opinion that:

1. Plaintiffs have pleaded and proved one or more causes of action against Defendant and Plaintiffs have established a probable right to the relief sought in accordance with the burden for such under the rules applicable for temporary injunctions¹; and
2. Plaintiffs have demonstrated a probable, imminent, and irreparable injury in the interim.² Without limitation, the Court finds that Plaintiffs will suffer irreparable injury without adequate remedy at law if Defendant prohibits Plaintiffs entering into and honoring short-term rental agreements vis-a-vis enforcement of Defendant’s subject ordinance; and, that is Defendant carried out its enforcement of the subject ordinance, Defendant will alter the status quo and tend to make ineffectual a judgment in favor of Plaintiffs.

IT IS THEREFORE ORDERED that a temporary injunction issue, operative until a final

¹ *Regal Entertainment Group v. iPie-Gold Class Entertainment, LLC*, 507 S.W.3d 337, 345-46 (Tex. App.—Houston [1st Dist.] 2016, no pet.)

² *Village of Tiki Island v. Ronquille*, 463 S.W.3d 562, 584 (Tex. App.—Houston [1st Dist.] 2015, no pet.)



E-MAILED korb
 11-7-18 Fancher
 Boyle

judgment is entered in this cause, as follows:

1. Defendant, City of Grapevine, Texas, its agents, servants, successors, trustees, and attorneys, and all persons acting in concert with them or on their behalf, are commanded forthwith to desist and refrain, and are hereby enjoined, from the enforcement of its Ordinance No. 2018-065 as to the rental of single family dwellings within the City of Grapevine by Plaintiffs who had bought, or made improvements to, property for renting out Grapevine single family dwellings for short-term (less than 30 days) prior to September 4, 2018.
2. Plaintiffs will post with the Clerk of this Court a cash bond, in conformity with the law, in the amount of \$1,000. The temporary restraining order bond, if any, may be utilized for satisfying this Order.
3. The Clerk shall forthwith, on the filing by Plaintiffs of the bond, issue a temporary injunction in conformity with the law and terms of this Order.

IT IS FURTHER ORDERED that the trial on the merits of this cause is set for April 15, 2019, at 9 am.

Signed November 7, 2018, at 1:45 o'clock p.m.



MIKE WALLACH