

CAUSE NO. 06-12227-F

GUILLERMO RAMOS

Plaintiffs

v.

THE CITY OF FARMERS BRANCH
TEXAS ; BOB PHELPS, in his official
capacity ; TIM O'HARE ; in his official
capacity ; CHARLIE BIRD, in his
official capacity ; JAMES SMTIH, in his
official capacity ; and BEN ROBINSON,
in his official capacity,

Defendants.

§ IN THE DISTRICT COURT FOR

§

§

§

§ DALLAS COUNTY, TEXAS

§

§

§ 116TH JUDICIAL DISTRICT

§

§

§

§

ORDER GRANTING TEMPORARY RESTRAINING ORDER

Upon consideration of Plaintiff's Application for Temporary Restraining Order and Supporting Memorandum, the Affidavits of Guillermo Ramos and Tony Salerno, and the arguments and authorities presented by counsel, this Court finds that, in the absence of a temporary restraining order, Farmers Branch Ordinance 2892 (the "Ordinance") will take and become enforceable on January 12, 2007, despite the fact that such Ordinance may have been approved and adopted in violation of the Texas Open Meetings Act, causing irreparable injury to Plaintiff and other citizens of Farmers Branch, Texas.

Therefore, the Court orders the following:

- a. That Defendants, The City of Farmers Branch, Bob Phelps, Tim O'Hare, Bill Moses, Charlie Bird, James Smith, and Ben Robinson, and all those in active concert with them or who have actual knowledge of the issuance of this Order, be and are hereby restrained, enjoined and prohibited from effectuating or enforcing the Ordinance pending this Court's resolution of Plaintiff's request for a temporary injunction;
- b. That the Clerk issue notice to Defendants, The City of Farmers Branch, Bob Phelps, Tim O'Hare, Bill Moses, Charlie Bird, James Smith, and Ben Robinson that the hearing on Plaintiff's request for a temporary injunction is set for January 22, 2007 at 9:00 a.m. the purpose of which shall be to determine whether this temporary restraining order should be made a temporary injunction pending A full trial on the merits; and
- c. That bond be set at \$1,000.00.

This Order will expire upon this Court's resolution of Plaintiff's request for a temporary injunction or fourteen (14) days from the date of this Order, whichever is earlier, unless extended pursuant to the provisions of Tex. R. Civ. P. 680.

SIGNED on the 11th day of January, 2007, at 11:00 a.m.


PRESIDING JUDGE