1/24/2020 12:16:57 PM Marilyn Burgess - District Clerk Harris County

Harris County Envelope No: 40252524 By: LAWSON, CHANDRA K Filed: 1/24/2020 12:16:57 PM

## 2020-04959 / Court: 281

| CAUSE NO                        | D |                          |
|---------------------------------|---|--------------------------|
| RIGOBERTO MIRANDA, JR., INGRID  | § | IN THE DISTRICT COURT OF |
| MIRANDA, DANIEL BRAVO and       | § |                          |
| ERICA BRAVO                     | § |                          |
|                                 | Š |                          |
| Plaintiffs,                     | § |                          |
|                                 | § |                          |
| VS.                             | § | HARRIS COUNTY, TEXAS     |
|                                 | § | ·                        |
| WATSON VALVE SERVICES, INC. and | § |                          |
| WATSON GRINDING AND             | § |                          |
| MANUFACTURING, CO.              | § |                          |
|                                 | § |                          |
| Defendants.                     | § | JUDICIAL DISTRICT        |

## TEMPORARY RESTRAINING ORDER AND ORDER SETTING HEARING ON APPLICATION FOR TEMPORARY INJUNCTION

TO: Defendants WATSON VALVE SERVICES, INC. and WATSON GRINDING AND MANUFACTURING, CO., their attorneys, agents, servants, and/or employees.

CAME on to be heard this day Plaintiffs' Application for Temporary Restraining Order against WATSON VALVE SERVICES, INC. and WATSON GRINDING AND MANUFACTURING, CO. ("DEFENDANTS"). After examining the same, the Court finds that if a Temporary Restraining Order is not entered, Plaintiffs will suffer immediate and irreparable harm for which there is no adequate remedy at law as a result of DEFENDANTS' conduct.

The Court further finds that Plaintiffs have shown a viable cause of action exists and there is a substantial likelihood that Plaintiffs will prevail at trial. The Court finds that the requested temporary restraining order is narrow in scope and will preserve the status quo until the hearing on the application for temporary injunction relief. The Court further finds that Plaintiffs' application for temporary restraining order is well-founded and shall be GRANTED.

The Court further finds that without injunctive relief restraining DEFENDANTS from securing and producing necessary evidence, Plaintiffs will be severely prejudiced in presenting

and proving his case.

The Court further finds that without injunctive relief, Plaintiffs will suffer probable, imminent and irreparable injury.

Based on the application submitted to the Court and this Court's findings, this Court finds good cause for the issuance of immediate injunctive restraints and relief.

The Court Orders as follows:

- 1. Defendants WATSON VALVE SERVICES, INC. and WATSON GRINDING AND MANUFACTURING, CO. are immediately restrained from changing, altering or destroying any tangible evidence related to the subject incident, including but not limited any and all photographs, videotapes, stickers, safety slogans, warnings, documents or communications regarding the incident, maintenance logs, maintenance and repair records, inspection reports, annual inspection reports, operating manuals, actual audio tape records, transcripts of any recorded statements, electronic data, statements, diaries, calendar entries, memos, incident reports, call slips, text messages, facsimiles, voicemail messages, and correspondence related to the January 24, 2020 explosion.
- 2. Defendants WATSON VALVE SERVICES, INC. and WATSON GRINDING AND MANUFACTURING, CO. are immediately restrained from resuming regular business practices at the premises where the explosion occurred until such time Plaintiff's counsel and experts are allowed to enter and inspect the subject premises and the requested evidence is produced and secured.

(which only includes activities performed at the premises prior to January 24, 2020)
This Order applies to Defendants WATSON VALVE SERVICES, INC. and WATSON

GRINDING AND MANUFACTURING, CO. their attorneys, agents, servants, employees, contractors, contractors' employees, and/or those acting in concert with Defendants WATSON VALVE SERVICES, INC. and WATSON GRINDING AND MANUFACTURING, CO.

It is therefore, ORDERED that this order shall be effective until the earlier of fourteen (14) dates for the date set forth below, or the date the Court issues a ruling on Plaintiffs' request for a temporary injection after proper notice to Defendants.

| It is further ORDERED that Plaintiffs' application for temporary injection shall be heard                          |
|--|
| on February 7, 2020 at 2:30 o'clock p.m., in the   |
| courtroom of the Judicial District Court of Harris County, Texas, to   |
| show cause, if there be any, why a temporary injunction should not be issued as requested by                       |
| Plaintiff.   |
| It is further ORDERED that the Clerk of the Court shall issue a show-cause notice to                               |
| Defendants to appear at the hearing on Plaintiffs' application for temporary injunction.                           |
| It is further ORDERED that the Clerk of the Court shall, on the filing by Plaintiffs the                           |
| required bond, and upon approving the same according to the law, issue a temporary restraining                     |
| order containing mandatory injunctive relief in conformity with the law and the terms of this order.               |
| It is further ORDER that Plaintiffs shall execute and file with the Clerk of the Court a bond                      |
| in conformity with the law and in the amount of \$_500.  |
| in conformity with the law and in the amount of \$ 500.  SINGED on this the 24 day of Taway, 2020, at 2:05 o'clock |
| <u> </u>   |
| ALDGE DID ESTIMATE   |