

14TH JUDICIAL DISTRICT COURT

CALCASIEU PARISH

STATE OF LOUISIANA

NUMBER: 2020-3343

DIVISION: H

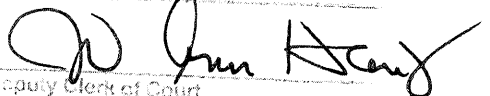
TYNEESHA JACKSON, on her own behalf and on behalf of all others similarly situated,
PLAINTIFFS

VERSUS

PC WILSHIRE LLC; PEAK LIVING LLC; and LATRICIA THIERRY,
DEFENDANTS

SEP 14 2020

FILED


Deputy Clerk of Court
Calcasieu Parish, Louisiana

ORDER FOR TEMPORARY RESTRAINING

AND SETTING OF PRELIMINARY INJUNCTION HEARING

On September 14, 2020, the Court consulted with the parties by phone conference and after considering the verified petition filed herein, and the Court being satisfied from the specific facts alleged therein that immediate and irreparable injury, loss, and damage has resulted and will continue to result to the Petitioners if Defendants are not restrained from interfering with Petitioners right to peaceable possession and their possessions and property at the Wilshire Apartment Homes before notice can be served and a hearing held on the Petitioners' application for a preliminary hearing; Therefore,

IT IS ORDERED that Defendants, their agents and employees, and all others acting on their behalf or in concert with them, be and hereby are temporarily restrained from acting in any way to evict residents or interfere with the Petitioners' peaceable possession of their apartments at Wilshire Apartment Homes without first affording them judicial process in accordance with Louisiana law.

IT IS FURTHER ORDERED that the defendants, their agents and employees, and all others acting on their behalf or in concert with them, be and hereby are temporarily restrained



from any harassment of petitioners, any removal or interference with their property and possessions, and or any further attempts to displace them from their homes without legal process in accordance with Louisiana law.

IT IS FURTHER ORDERED that, Defendants cannot cancel the leases of residents by enforcing the provisions of the "Lease Termination and Waiver, Release and Hold Harmless Agreements" that have already been executed or require residents to sign that Lease Termination and Waiver, Release and Hold Harmless Agreement as a precondition to possession of the property in the apartments. Defendants are allowed to create a separate hold harmless agreement which protects defendants from liability for people but this new agreement cannot cancel the lease and whatever protections there are for the parties between the residents. Whatever rights and obligations exist between the parties under the lease continue in accordance with Louisiana law.

IT IS FURTHER ORDERED that Defendants publicly advise all residents of the content of this Temporary Restraining Order and changes herein in the same manner as they communicated with residents with that there was a deadline of September 14, 2020 to reclaim their property and they had to execute the Agreement.

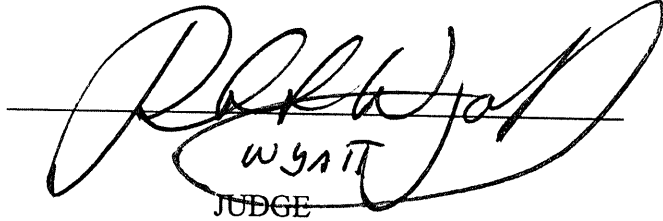
IT IS FURTHER ORDERED, that, if necessary, Petitioners may regain entry to their apartments with the assistance of police or sheriff;

This temporary restraining order shall expire at the end of 15 days from this date hereof, unless extended by the Court prior to its expiration for good cause shown and reasons entered of record herein.

IT IS FURTHER ORDERED, that the defendants show cause on the 8th day of October, 2020 at 9:00 o'clock A.m., before Judge WARR why a

preliminary writ of injunction, in the form and substance of the above temporary restraining order, should not issue herein, to be effective during the pendency of these proceedings;

Signed in Lake Charles, Louisiana on September 14, 2020, at
10:00 o'clock A.m.


WYATT
JUDGE

Please serve:

PC WILSHIRE LLC
Universal Registered Agents, Inc.
1011 North Causeway Blvd., Suite 3,
Mandeville, LA 70471.

PEAK LIVING LLC
Universal Registered Agents, Inc.,
1011 North Causeway Blvd., Suite 3,
Mandeville, LA 70471.

LATRICIA THIERRY
Wilshire Apartment Homes
4425 5th Avenue
Lake Charles, LA 70607