

Cause No. 2015-62542

Victor Rubalcava	§	In the District Court of
<i>Plaintiff</i>	§	
	§	
vs.	§	
	§	Harris County, Texas
The Finger Companies Inc., and	§	
Triple-S Masonry	§	
<i>Defendants</i>	§	234
		_____ Judicial District

Order for Temporary Injunction

1. After considering the Petitioner's ("Victor Rubalcava") application for temporary restraining order, and request for temporary injunction, the pleadings, the affidavits, and the arguments of counsel, the Court finds that harm remains imminent to Mr. Rubalcava, and if the Court does not issue the temporary injunction, Mr. Rubalcava faces immediate and irreparable injury because crucial evidence will be discarded, altered, or destroyed.
2. The Court finds that proper notice was afforded to the Defendants. Defendants agreed to accept service of the Temporary Restraining Order and have actual notice of the temporary injunction hearing.
3. Therefore, the Court restrains The Finger Companies Inc. and Triple S Masonry from:
 1. Damaging, modifying, altering, selling or disposing in any way the scaffolding equipment, tools and materials and tools involved in the scaffolding collapse
 2. Damaging, modifying, altering, selling or disposing any other construction equipment and tools involved in the scaffolding collapse;

3. Damaging, modifying, altering, selling or disposing of, in any way, the construction documents setting forth the responsibilities assumed by the various construction entities Finger hired for this project;

4. Damaging, modifying, altering, selling or disposing of, in any way, the documentation concerning the screening, hiring, training and supervision of Mr. Rubalcava and the other construction workers on the 500 Crawford construction project;

5. Damaging, modifying, altering, selling or disposing of, in any way, the documentation concerning maintenance and inspections of the scaffolding equipment in question;


4. The court recognizes that there is a potential cause of action by other similarly situated Plaintiffs and it finds there is a probably right to release in that action.

~~This order expires on _____, 2015.~~

5. The Court acknowledges the bond already posted by Plaintiff and does not dissolve, but instead carries over that bond in the amount of \$5,000.00.

6. THE COURT GIVES NOTICE TO THE DEFENDANTS THAT ANY VIOLATIONS OF THIS ORDER MAY BE CONSIDERED CONTEMPT OF COURT AND MAY BE PUNISHED WITH CONFINEMENT IN COUNTY JAIL AND/OR A FINE.

This Order is entered on November 2, 2015 and replaces the Temporary Restraining Order and shall continue until the need for it expires. TRIAL IS SET FOR APRIL 18, 2016.



Judge Wesley Ward