

FILED
COUNTY CLERK

2016 DEC 21 PM 12:40

WHATCOM COUNTY
WASHINGTON

BY _____

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF WHATCOM

MARGRETTY RABANG,

Plaintiff,

v.

RORY GILLILAND, MICHAEL ASHBY, and
JOHN DOES 1-10,

Defendants.

NO.

16 2020298

~~PROPOSED~~ ORDER GRANTING
PLAINTIFF'S MOTION FOR A
TEMPORARY INJUNCTION

(Clerk's Action Required)

Hearing: 1/13/2017 @ 1:30pm
IRA UHRIG

This matter came before the Court on the Plaintiff's Motion for a Temporary Restraining Order pursuant to RCW 7.40.020. This Court heard argument from Plaintiff *ex parte* regarding the matter on December 21, 2016. Plaintiff provided notice of the *ex parte* hearing. Having considered the Motion, and the files and records herein, this Court finds and orders as follows:

I. FINDINGS

1. This Court possesses jurisdiction because the subject matter of this suit is real property located in Whatcom County, that acts herein occurred and will occur in Whatcom County, and Defendants are situated in Whatcom County. The Court also possesses jurisdiction pursuant to RCW 37.12.010 and *State v. Cooper*, 130 Wash.2d 770 (1996) (en banc).

2. Plaintiff lacks a plain, complete, speedy and adequate remedy at law.

300 to Atty
[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR
TEMPORARY INJUNCTION- 1

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1 3. Plaintiff possesses a clear legal or equitable right to her residential property
2 located at 5913 Johnny Drive in Deming, Washington ("property").

3 4. Plaintiff has a well-grounded fear that Defendants will immediately invade her
4 legal or equitable right to her property.

5 5. Plaintiff will likely sustain actual and substantial injuries if the Court does not
6 enjoin Defendants from trespassing and removing Plaintiff from her property.

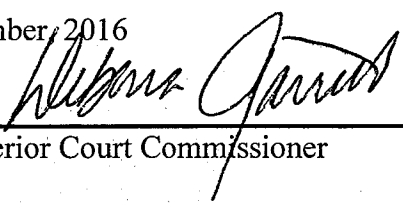
7 6. Plaintiff is therefore entitled to an order temporarily enjoining Defendants from
8 entering her property.

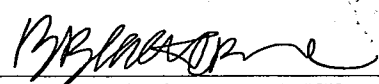
9 **II. TEMPORARY RESTRAINING ORDER**

10 Plaintiff's Motion for Temporary Restraining Order is hereby **GRANTED**. Defendants
11 Rory Gilliland, Michael Ashby and any similarly situated John Doe Defendants are temporarily
12 restrained from entering onto or attempting to remove Plaintiff or her family or belongings from
13 her residential property located at 5913 Johnny Drive in Deming, Washington.

14 A preliminary injunction hearing is set for January 13, 2017 at 1:30 pm in Dept. 1. 189, 2017. Plaintiff
15 shall immediately attempt to serve process upon Defendants and file proof of service or
16 attempted service with the Court. Plaintiff shall file any additional motion papers nine days
17 before the hearing. Defendants shall file any response papers four days before the hearing.
18 Plaintiff shall file reply papers two days before the hearing.

19 DONE ~~IN OPEN COURT~~ this 21st day of December, 2016

20 
Superior Court Commissioner

21
22 Presented by:
23 GALANDA BROADMAN, PLLC
24 
25 Bree R. Black Horse, WSBA #47803
Attorney for Plaintiff