

FILED

FEB 22 2011

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

1 Sharon Bridgewater
2 201 8th Street
3 San Francisco, CA 94103
4 In Pro Person

8
9
10 **UNITED STATES DISTRICT COURT FOR**
THE NORTHERN DISTRICT OF CALIFORNIA

11 Sharon Bridgewater,
12 Plaintiff,
13 Vs.

CASE No. C10-06703 - (SBA)

14
15 **PLAINTIFF EX-PARTE APPLICATION**
FOR TEMPORARY RESTRAINING
ORDER/PRELIMINARY INJUNCTION
ASSET FREEZE AND OTHER
INJUNCTIVE RELIEF

16 Hayes Valley Limited Partnership, (AKA,
17 Hayes Valley Apartments II L.P.),
18 McCormack Baron Ragan Management
19 Services Inc., MBA Urban Development Co.,
The Related Companies of California, Inc.,
Sunamerica Affordable Housing Partnership
Inc., and Does 1 through 50 inclusive.

20
21 [Filed Concurrently With] Plaintiff verified
22 complaint, Ex-Parte Application for
23 TRO/Preliminary Injunction and other Injunctive
24 relief, Memorandum of Points of Authority in
25 Support of Application for TRO

26 Defendants.

27
28 **PLAINTIFF'S EX PARTE MOTION FOR TEMPORARY**
RESTRAINING/PRELIMINARY INJUNCTION AND ASSET FREEZE AND OTHER
INJUNCTIVE RELIEF

Plaintiff's Ex-Parte Motion for Temporary Restraining Order/Preliminary/Permanent Injunction

Asset Freeze and Other Equitable Relief

1
2 The Plaintiff, Sharon Bridgewater hereby moves, pursuant to Rule 65 of the Federal Rules of
3 Civil Procedure, for a Temporary Restraining Order re Preliminary and Permanent Injunction
4 asset freeze to preserve the status quo to prevent irreparable injury to Bridgewater.
5
6

7 **Introduction**

8 **Legal Standard for Granting a Rule 65 Temporary Restraining Order re Preliminary**
9 **Injunction/Permanent Injunction**

10
11 A party seeking a temporary restraining re Preliminary/Permanent injunction must show the
12 Following:

13
14 (1) A substantial likelihood of success on the merits;
15 (2) Irreparable injury;
16 (3) That the injury to Plaintiffs outweighs the harm an injunction may cause
17 Defendants; and
18 (4) That granting the injunction would not harm the public interest.

19
20 Where a plaintiff, seeking equitable and legal relief, for numerous claims as pled in the
21 verified complaint the Court have authority to apply Rule 65 relief and encumbered the assets of
22 the defendant to protect a future money judgment.

23 A temporary restraining order may be obtained *ex parte* if notice would lead to the
24 destruction of evidence, as such will occur in the instant action. As demonstrated in the verified
25 complaint, of the defendants past conduct of numerous criminal acts, fraudulent concealment and
26

27
28 Plaintiff Ex-Parte Application for Temporary Restraining Order

Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

1 other outrageous acts. The court's power to grant injunctive relief should be exercised when
2 intervention is essential to protect property or other rights from irreparable harm. This court has
3 sufficient equitable powers to preliminarily freeze a defendant's assets in suits sounding in
4 equity. Where both legal and equitable claims are pled, it authorizes a district court to
5 preliminarily freeze assets in a case involving equitable claims, and when "both money damages
6 and equitable relief are sought ..., the controlling authority is Pre-judgment asset freezes are
7 acceptable as "reasonable measure(s) to preserve the status quo in aid of the claims in the suit" or
8 "grant" interim relief of the same character as that which may be granted finally.
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I. Facts

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16 The defendants filed an Unlawful detainer lawsuit for possession of Bridgewater's
17 apartment. The defendants gave Bridgewater "two" ~~invalid~~ notices to pay rent or quit with "no
18 exact dollar amount due" (which is a pre-requisite to file an Unlawful detainer lawsuit) in
19 violation of California Civil Procedure section 1161. The defendants filed the Unlawful
20 detainer lawsuit against Bridgewater for an amount of rent that Bridgewater did not owe. The
21 second notice given to Bridgewater was fraudulent, as Bridgewater was not delinquent in rent
22 and had credit balances on her rental ledger. The defendants accepted "all" rents as demanded
23 in the unlawful detainer lawsuit filed. (Any acceptance of any rental payment after one give a
24 notice to pay rent or
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26
27
28

Plaintiff Ex-Parte Application for Temporary Restraining Order

Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

1
2
3 Quit waives any further eviction proceedings) The defendants wrongfully evicted Bridgewater
4 during Christmas 2007/New Year 2008. Bridgewater received a vacated Judgment from a
5 Superior court Judge of the wrongful eviction. The case required an immediate dismissal. The
6 defendants ignored the Judgment rendered by the Superior State Court Judge and retaliated. The
7 defendants had total disregard for the court system and the judicial process, committed contempt
8 of court and maliciously prosecute for no reason. The defendants have conspired with their
9 attorney to abuse, oppressive Bridgewater, inflict intentional emotional distress upon
10 Bridgewater knowing she was unable to marshal any defense. The defendants had full
11 knowledge that Bridgewater was vulnerable to such acts.

12
13 Bridgewater has asked the defendants for information of what Bridgewater had a legal
14 right to have. The defendants have with held information from Bridgewater, made intentional
15 material misrepresentations and prevented Bridgewater from defending her self on the day of
16 trial. On the day of trial, concealed known facts from the Pro tem Judge and the presiding Judge
17 William Chen, made more intentional misrepresentation(lied) to Bridgewater, used undue
18 influence, deprived Bridgewater of a jury trial with threaten and coercion and forced Bridgewater
19 to move. The defendants used their influence over Bridgewater and criminally exploited a
20 disable person violating Plaintiff civil rights to a jury trial through, threats and coercion and
21 force. The defendants violated Plaintiffs due process right,
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28 Plaintiff Ex-Parte Application for Temporary Restraining Order

Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

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5 Plaintiff was maliciously prosecuted for no reason, is the [prevailing party] and the
6 case, for that matter the case should have never went to trial.

7 The defendants then formed a fraudulent agreement[the court did not have
8 jurisdiction to entertain used], and conspired with their attorney, used the court,
9 committed fraud on the court by not disclosing to the Pro Tem Judge all rents were paid
10 and accepted, committed extrinsic and intrinsic fraud. The defendant executed a "null and
11 void" and never met the statutory requirement to file the unlawful detainer lawsuit.(no proper
12 notice was ever served to Bridgewater which is a pre-requisite to file an unlawful detainer
13 lawsuit.) The Judgment was VOID from its inception, and is complete nullity
14 without legal effect because the court lacked jurisdiction to render the judgment. Also the
15 judgment executed and enforced by the defendants was inconsistent with due process (the
16 defendants never met the statutory requirement to even file an unlawful detainer. And
17 lastly res judicata doesn't applied to a void judgment; one which, from its inception, is a
18 complete nullity and without legal effect.

19
20
21 The defendants must be taught a lesson. The defendants have had total disregard of the
22 court system, laws, rules and authority, committed several fraudulent acts, and will continue to
23 commit fraudulent, deceptive acts without the courts intervention. The court must intervene
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28 Plaintiff Ex-Parte Application for Temporary Restraining Order

Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

1
2
3 Plaintiff has sent several letters to the General Partners of Hayes Valley Limited Partnership
4 requesting the defendants to compensate Plaintiff for damages. Plaintiff has filed several
5 lawsuits in the Superior Court of California. Plaintiff have sent letter of demand letters to the
6 defendants. Plaintiff has tried to collect damages for the last year and half.
7
8

9 The defendants only hinder, delay, avoid, dissuade. Plaintiff continues to
10 abuse, exploit and take advantage of Plaintiff causing irreparable injury to the Plaintiff.
11
12

13 **II. Legal Argument**
14

15 The defendants have committed numerous fraudulent, illegal conduct have had total
16 disregard for the courts and the Judicial system. The defendants history and past conduct of
17 hiding, committing fraud, broken promises, exploitation of the Plaintiff by the defendants,
18 outrageous illegal nature of retaliatory and repressive conduct Hayes Valley Limited
19 Partnership, (AKA, Hayes Valley Apartments II L.P.),McCormack Baron Ragan Management
20 Services Inc., MBA Urban Development Co., already have demonstrated, warrants a temporary
21 restraining order, preliminary injunction, a temporary injunction and permanent injunction, to
22 preserve the status quo pending trial to prevent further irreparable injury to the Plaintiff.
23
24

25 A temporary restraining should be issued, preventing the defendants from disposing of
26 documents and assets, during the pendency of this action. Absent of injunctive relief the
27 defendants will continue to take advantage of Bridgewater, and continue to with their fraudulent
28

Plaintiff Ex-Parte Application for Temporary Restraining Order

Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

1 action, delay, avoid, hinder, dissuade, conceal, hide, dispose of assets any money judgment
 2 rendered by this court Plaintiff will be unable to collect and Plaintiff will suffer irreparable harm
 3 and not be able to collect on any money Judgment.
 4

5 Per the defendant conduct as demonstrated contempt of court, fraud on the court,
 6 concealment of known facts. The defendants will continue to commit fraud, conceal, hide assets,
 7 hinder, avoid, delay and any money Judgment rendered by the court would again be rendered
 8 "null and void" and ineffective, as other "fraudulent" judgments obtained by the
 9 defendants.

10 On Feb. 19, 2008, Plaintiff once was forced to enter into a "fraudulent/void" Stipulated
 11 Judgment against her will, at the mandatory settlement conference. Per this stipulated Judgment
 12 the defendants promised to Bridgewater promised Plaintiff they would return her full security
 13 ~~\$1527.00~~
 14 deposit of \$1,600.00, in which they failed to do. The defendants then promised the Plaintiff that
 15 they would give account of her security deposit in accordance with California Law which they
 16 failed to do. The defendants have broken all promises per the settlement agreement, and
 17 committed fraud (with the intent not to perform). Any settlement agreements, negotiation or
 18 Alternative Dispute resolution in this court would not different and would be fraudulent, void,
 19 and again ineffective and the defendants will continue to have bad faith, and malice toward
 20 Bridgewater. It is absolutely necessary the court intervene and enter a TRO, preliminary and
 21 permanent injunction. As the defendant will continue to abuse, exploit and cause further
 22 irreparable damage to the Plaintiff as demonstrated in the defendant pass conduct. Any
 23 settlement agreement, Stipulated Order and Judgment would again be "null and void." The
 24 defendants conduct would not differ in this court as well.
 25

26 Plaintiff Ex-Parte Application for Temporary Restraining Order
 27
 28 Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

It is very clear from the defendant pattern and practices, they will continue to violate, commit fraud, break promises, etc. It certainly follows, if an advanced notice of this motion is given to the defendant they would dissipate, dissolve, hide, withdraw, remove, re-assign, transfer, pledge, encumber, disburse dissipate convert, sell and dispose of their asset and hide from Bridgewater such asset with and will attempt transfer monies, properties to overseas Investors, etc. evade paying Bridgewater as a Creditor. The defendants continue to abuse Bridgewater inability to retain legal counsel and ridicule Plaintiff. The defendants, ignore, have not communicated with Bridgewater and only laugh and ridicule and continue to abuse Plaintiff inability to retain legal counsel. Plaintiff have filed related lawsuit in the Superior Court of California the defendants have only delayed, dissuade, and hindered Bridgewater from collecting damages sustained As demonstrated in the verified complaint filed with this motion, absent of the courts intervention the defendants will continue with their fraudulent, oppressive conduct and continue to take advantage of Plaintiff and continue to cause irreparable harm to Plaintiff.

It is clear from the Plaintiff filing past lawsuit the defendants have no intentions on paying Plaintiff for her damages. There are no other adequate remedies at law. It is absolutely necessary that the court intervene. This court must grant a temporary restraining order, temporary injunction, and preliminary injunction and permanent injunction to prevent further irreparable injury to the Plaintiff to preserve the status quo pending trial.

Plaintiff Ex-Parte Application for Temporary Restraining Order

Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

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5 The defendant's exploitation of the Plaintiff is clear, without the courts intervention the
6 Plaintiff would suffer and continue to suffer irreparable harm. It is absolutely necessary that the
7 court intervene to preserve the status quo. There are no other adequate remedies available. The
8 injury to Plaintiff's outweighs the harm an injunction may cause Defendants; and the granting the
9 injunction would not harm the public interest.
10

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13
14 **IV. EQUITY FAVORS GRANTING A TEMPORARY RESTRAINING ORDER**
15 **PRELIMINARY INJUNCTION, AND PERMANENT INJUNCTION**
16

17
18 The egregious facts of this case and Defendants' pattern of fraudulent conduct warrant the
19 Entry of a Temporary Restraining Order, asset freeze, prejudgment remedies, preliminary
20 injunction and permanent injunction.

21 A temporary restraining, temporary and permanent injunction order is absolutely
22 necessary as shown in past conduct of the defendants contempt of court, intrinsic, extrinsic fraud,
23 fraud on the court, concealment of known facts, fraud with the intent not to perform, to prevent
24 irreparable injury to Bridgewater and significant loss or damage. It certainly follows, if an
25 advance

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27 Plaintiff Ex-Parte Application for Temporary Restraining Order

28 Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

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3
4 notice is given the defendants would hide, dissipate, dispose, of assets and a notice should not be
5 required and a temporary restraining order preliminary injunction and permanent to preserve the
6 status quo until a hearing for a preliminary and permanent injunction is absolutely necessary.

7 The defendants continue to abuse the Plaintiff, continues to take total advantage of the Plaintiff
8 inability to retain legal counsel.
9

10 The defendants continue hinder, dissuade, avoid, and delay Bridgewater in collecting the
11 damages she has sustained. Plaintiff respectfully request that the Court grant this Temporary
12 Restraining Order, impose a temporary restraining order, preliminary, permanent injunction and
13 asset freeze as demonstrated below.
14
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16

17 **A. EQUITY FAVOR GRANTING A TEMPORARY RESTRAINING
18 ORDER ASSET FREEZE**

19
20 **B. EQUITY FAVORS GRANTING A PRELIMINARY INJUNCTION ASSET FREEZE
21
22 IN THE JUDGMENT AMOUNT RENDER BY THIS COURT (Plaintiffs' claims
23 asserted in this lawsuit have a substantial likelihood of success on the merits)**

24
25 As pled in the verified complaint, the (numerous) claims of relief for
26
27
28 Plaintiff Ex-Parte Application for Temporary Restraining Order
Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

1 ① Conspiracy to wrongfully evict ② Conspiracy
 2 to defraud ③ Conspiracy to deprive civil rights
 3 ④ Intentional misrepresentation & concealment of known facts
 4 ⑤ Violation of Civil RICO STATUE (RAI Reckless & Influenced
 5 Practice & corrupt Practices) ⑥ Malicious Prosecution
 6 ⑦ Punitive damages ⑧ Injunctive Relief.

7
 8 The defendants engaged in corrupted Practices, RAI Reckless
 9 Influenced - RICO violations which authorizes this court to
 10 freeze assets, & a TRO, preliminary injunction, re-pleadment injunction

11
 12 The defendants went over and beyond their professional duties, and
 13 obtained a Judgment the court did not have jurisdiction to entertain rendering the
 14 Judgment NULL AND VOID. THE DEFENDANTS HAD THE EXPRESS AUTHORITY
 15 OF EACH OTHER AS STATED (¶ 14) OF THE VOID JUDGMENT. CLEARLY THE
 16 PLAINTIFF IS ENTITLED TO A JUDGMENT AS A MATTER OF LAW. Everything the

17 defendants stipulated to per this (null and void) fraudulent agreement the defendants are liable
 18 for (compensatory. Special, general, statutory damages/punitive). Per Plaintiff's verified
 19 complaint, Bridgewater have sustained permanent lifetime, lifelong physical, emotional and
 20 mental injuries by the defendant's criminal and fraudulent acts of deceit, concealment and
 21 outrageous conduct. California law states that if any person willfully, intentionally commits a
 22 crime toward a disabled person causing injuries the tortfeasor is liable to take care of that person
 23 needs for the rest of his or her life. The defendant's outrageous, fraudulent, repressive
 24 conduct the defendants should be punished in the severest form in the way of punitive damages.

25
 26 Plaintiff Ex-Parte Application for Temporary Restraining Order

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 28 Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

1 These claims of relief are quite enormous and warrants a prejudgment asset freeze of the
2 defendants property, bank accounts, garnishment of pay checks to secure debt owed by the
3 defendants and/or an asset freeze until the defendants post bond for the amount of Judgment
4 rendered by this court is to preserve the status quo in the amount of Judgment rendered by
5 this court.

6
7 It is absolutely imperative that the court intervene to prevent Plaintiff from further
8 injury. Plaintiffs have suffered and continue to suffer from harm, immediate danger, significant
9 loss and damage. Any judgments received by this court would again be rendered "null and
10 void" and Plaintiff would be unable to collect any monetary judgment.

11
12 The courts intervention is absolutely necessary as the defendants will only continue their
13 fraudulent conduct, hinder, delay, dissuade Plaintiff will have contempt of
14 court and disobey any court orders as shown in past conduct. As the defendants have shown in
15 previous conduct; as the defendants have had total disregard for any Judges Orders and the
16 Judicial System. .

17
18 Further, the defendants made false promises with the intent not to perform.
19 The defendants have had total disregard for court/verdicts, etc. Stipulated Orders, Judgments and
20 any Judgment rendered by this court would not differ. Without court intervention any and all
21 judgment would be rendered ineffective.

22
23 Moreover, based on the extensive fraudulent conduct of the defendants, the defendants will
24 continue with fraudulent acts, deplete their assets and destroy evidence, hide, destroy, to avoid
25
26
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28 Plaintiff Ex-Parte Application for Temporary Restraining Order

Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

1 The reach of this case if this temporary restraining order is not granted. Immediate court
2 intervention is required to put a stop to and prevent further abuses, oppressive acts, fraudulent
3 and criminal conduct. It is quite obvious that Defendants have no intention paying any
4 debt/damages.
5

6 It is clear that without the equitable relief sought herein (i.e., the freezing of Defendants
7 assets) Plaintiffs will be prevented from recovering any damages in a legal action for which the
8 facts contained herein and in the Verified Complaint.
9

10 Plaintiffs have already presented sufficient facts to establish the elements of each of the
11 claims asserted in this lawsuit, and there is a substantial likelihood of success on the merits as
12 there are no defenses. Clearly, Plaintiff is the prevailing party to this entire action.
13

14 It is absolutely necessary and imperative that the court intervene to prevent further
15 injury to the Plaintiff. It is absolutely necessity that the court intervene in issue a temporary
16 restraining order, preliminary injunction and permanent injunction for the defendants to post a
17 bond in an amount deemed by this court. Plaintiff has already prevailed in the causes of action.
18 It is absolutely necessary this court order the defendant to post bond and pay for damages
19 sustained by the Plaintiff.(TRO/preliminary/permanent injunction).
20

21 The claim is sizable claims, and the asset freeze should continue until after the Judge
22 entered Judgment and order the defendants to pay subsequently dissolving the permanent
23 injunction. It is absolutely necessary that they court oversee this entire court process.
24
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28 Plaintiff Ex-Parte Application for Temporary Restraining Order

Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

1 Plaintiff is entitled to expedite discovery of the defendant's assets and net worth. An asset
2 freeze in the amount of the judgment rendered against the defendants in personal property, real
3 estate, bank accounts, and garnishment of any personal pay check should be other assets are
4 levied. Until the defendants post bond in the amount of the Judgment rendered against them.
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9 **C. PERMANENANT INJUNCTIVE RELIEF**

10 **The defendant misused the court system, committed fraud on the court, and lied to the pro**
11 **tem judge. Had contempt of court and ignored a court order receive two fraudulent**
12 **Judgments it certainly follows the defendants will hide, dispose, etc. absent of court**
13 **intervention have hindered, delayed, dissuade Plaintiff in collection of damages. A**
14 **Judgment entered with this court would not differ. Without the court intervention the**
15 **defendants will continue to abuse the judicial system, abuse the plaintiff any money**
16 **judgment rendered by this court would be void and ineffective. For this reason the court**
17 **should make the defendants pay the posted amount of bond to the PLAINTIFF and other**
18 **the court to release the money to plaintiff and oversee the dissolution of the case.**

19
20 **D. EQUITY FAVOR GRANTING IMMEDIATE INJUNCTIVE RELIEF**

21
22 Plaintiffs have asserted claims of relief for wrongful eviction,
23
24
25 (claim: 1,2,) **which has already been tried in a court of law and the**
26 **defendants have been found guilty(Plaintiff received a vacated Judgment by a Superior**
27
28 Plaintiff Ex-Parte Application for Temporary Restraining Order
Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

1
2 **Court Judge for wrongful eviction (deprivation of due processes/conspiracy).**

3 Plaintiff is entitled to a ~~judg~~ final Judgment against the defendants for damages. As the
4 cause further injury to Plaintiff foot, and causing further damage. The defendants have withheld
5 monies that rightfully belongs to the Plaintiff and Injunctive relief should be granted ordering the
6 defendants to immediate release these funds and deposit the funds with the court and a certified
7 check should be immediately mailed to Bridgewater sustained by the Plaintiff name is in an
8 unlawful detainer data base for non-payment of rent. Suffers daily and continue to cause damage
9 to her left foot and right leg because she has to walk everywhere due losing her vehicle because
10 of the defendants forcing Plaintiff into a homeless situations. It is absolutely necessary that the
11 court enter a partial final judgment to preserve the statue quo. As demonstrated by the defendant
12 repressive and past conduct after a judgment is rendered by this court the defendants will
13 certainly appeal the courts decision and Plaintiff will be unable to litigate without adequate
14 housing, unable obtain legal counsel, fees', etc. continue to use necessary office equipment and
15 computers, make copies at Kinko's, etc. pending the litigation of this case. The defendants are
16 wrongfully holding money that rightfully belongs to Bridgewater. A temporary injunctive
17 relief is absolutely necessary to maintain the status quo during the pendency of this action. It is
18 absolutely necessary the enter a Final Judgment and order the defendants to deposit funds
19 directly into the court registry in and have the court mail the check to the Plaintiff immediately to
20 preserve the status quo pending litigation..
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28 Plaintiff Ex-Parte Application for Temporary Restraining Order

Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

1 Court intervenes and order the defendant to deposit funds into the court as the Plaintiff is
2 causing irreparable injury to her foot and leg.
3

4 The court should consider the harm of the Plaintiff if temporary injunctive relief
5 erroneously denied. Based on the reprehensive, illegal, retaliatory conduct of the defendants has
6 demonstrated in the past; that once a Judgment is entered against the defendants. Based on the
7 past conduct of the defendant there is a high probability that the defendants will appeal the court
8 decision of any monetary judgment rendered by this court and will continue to delay, hinder and
9 oppress the Plaintiff. Plaintiff is entitled to immediate relief to preserve the status quo now and
10 later. Plaintiff is entitled to immediate injunctive relief to preserve the status quo.
11
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16 **C. The Injury to Plaintiffs outweighs the harm an injunction may cause Defendants;**

17 Plaintiff suffers and continues to suffer on a daily basis and is in jeopardy of not be able
18 to litigate this case effectively. Plaintiff is suffering irreparable harm and continues to suffer
19 irreparable harm because due to the defendant conduct, Plaintiff lost her vehicle and now must
20 walk everywhere causing further damage to her left foot and right knee. Plaintiff currently
21 continues to suffer economic hardship, irreparable harm, is in danger of losing current housing,
22 because the apartment have extensive repairs and the residence must relocate if and when the
23 inspectors say we must move due to "unfit" living conditions. Plaintiff has been unable to obtain
24 housing because the defendant fraudulently and wrongfully evicted the Plaintiff. Bridgewater
25 is in danger of losing her current house because the apartment complex has major problems and
26
27

28 Plaintiff Ex-Parte Application for Temporary Restraining Order

Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

1 the residence has filed a petition for the property owner to demolish the building and rebuilt and
2 all residence must relocate. The
3 Defendants are liable for the continued care of Bridgewater mental, emotional and health care of
4 breaking her foot and her right leg (lifetime therapy, medications and any future surgery(s) that
5 Plaintiff might need to correct her knee) for the remainder of her life. Bridgewater suffers and
6 continues to suffer pain on a daily basis. The defendants have wrongful evicted Bridgewater a
7 name is in an unlawful detainer data base making it virtually impossible to rent or obtain
8 adequate housing because the Plaintiff is marked and defamed as a bad tenant for nonpayment of
9 rent.
10
11

12
13 Plaintiff is suffering outweighs the harm may cause to defendants, as the defendants are
14 multi-billion dollars real estate financer, owner and developer. No harm will come to them.
15
16
17
18

19 **D. The granting of the injunction would not harm the public interest.**
20

21 Where a party demonstrates both the likelihood of success on the merits and irreparable
22 Injury, it almost always will be the case that the public interest will favor the issuance of an
23 Injunction. fact, the granting of this injunction will protect the public interest and prevent further
24 schemes by Defendants to prey on other victims.
25
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27

28 Plaintiff Ex-Parte Application for Temporary Restraining Order
Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

1 **E. PLAINTIFF SHOULD NOT BE REQUIRED TO POST BOND**

2

3 Plaintiff should not be required to post bond. Plaintiff is a pro se litigant

4

5

6 **PLAINTIFF IS ENTITLED TO IMMEDIATE RELIEF and has satisfied all requirements**

7 And the defendants are crooks and have
8 violated the Civil RICO Statute - Corrupted
9 & organized Crime, Racketeering

10 **VI. Conclusion**

11

12 Without the courts intervention the defendants will continue to oppress, take advantage of abuse
13 Bridgewater inability to retain legal council, continue to hinder, avoid, delay, dissuade, continue
14 their fraudulent conduct, continue to commit contempt of court, will again commit fraud on the
15 court. Any money Judgment rendered by this court will be null and void as demonstrated in
16 past conduct and rendered ineffective. It is absolutely necessary the court issue a temporary
17 restraining order, re preliminary and permanent injunction.

18 A notice to defendants should not be
19 required, and I have not notified the
20 Defendants of this TRO

21

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28 Plaintiff Ex-Parte Application for Temporary Restraining Order

Preliminary/Permanent Injunction and Asset Freeze and Other Equitable Relief

22

23 **WHEREFORE**, plaintiff prays for judgment against defendants and each of them as follows:

24 1. For general damages and special damages for all claims of relief in the amount of
25 \$200,000.00(two hundred thousand dollars)

26 2. Plaintiffs request this court to issue a The Plaintiffs is entitled to TRO and/or
27 Preliminary and permanent injunction relief because: (a) Plaintiffs have a reasonable
28 Probability of success on the merits; (b) there is a danger of real, immediate, and

irreparable injury which may be prevented by injunctive relief; (c) there is no other plain, speedy, and adequate remedy at law; (d) the granting of a preliminary injunction will not disserve the public interest; (e) the balance of equities favors the injunction; and (f) the injunction will preserve the status quo pending a trial on the merits (G) Violation of the civil rico statue authorizes an injunction and/or for the defendants to deposit funds into the court registry and post a bond in the amount of \$200,000.00(two hundred thousand dollars in the amount of the plaintiff's compensatory and special damages in favor of the Judgment rendered by this court in favor of the Plaintiff, and the Plaintiff request the Court Clerk to immediately forward the payment to the Plaintiff's post of box at 422145, San Francisco, California 94142-2145.

3. The Plaintiff request the court to issue it's own order on the TRO; and/or include in the TRO For an order enjoining the defendants, each of them, and their Agents, Servants, employees and all persons acting under, in concert with them. (to stop issuing illegal stipulated Judgment for possession of the premises, and/or any illegal agreement that "lack due process of law" of any agreement contract, understanding, practice, procedure, or arrangement of any kind or nature whatsoever which has the purpose or effect, directly or indirectly requires tenants to enter into agreements for possession of their premises. *The Plaintiff submits to this court two ex parte applications 1) TRO with app't of receiver + order to show cause why a receiver should not be confirmed + 2) TRO / Preliminary injunction. The Plaintiff request the court to choose the approx relief.*
4. Plaintiff also seeks an expedite preliminary injunction hearing and to consolidate preliminary hearing with the trial of the case.
5. Assume jurisdiction of this case.

- 1 6. Separate Trial for HVLP and Separate trial for KTJ, and Shawn Bankson and Jane
- 2 Creason.
- 3
- 4 7. An order for defendants to produced sensitive financial and/or net worth Information
- 5 to assess A Punitive damages award and restrict the documents to produce to those
- 6 that represents the present net Worth of the defendants, For trial.
- 7
- 8 8. Punitive damages according to proof at trial.
- 9
- 9 9. Order the defendants to produce a list of other defendants (names) that are
- 10
- 10 10. Partners of Hayes Valley Limited Partnership and/or Kimball, Tirey & St.
- 11 John LLP that should be added to the complaint, and allow the Plaintiff amend this
- 12 complaint to add the names of “Does 1-50” defendants.
- 13
- 13 11. For cost of suit and “reasonable attorney fee’s as authorized for the willful conspiracy
- 14 to violate the Plaintiff civil rights.
- 15
- 16 12. Plaintiff requests a case management conference and/or an expedited trial.
- 17
- 17 13. Expedited Discovery
- 18
- 18 14. Hold each defendant jointly and severally liable.
- 19
- 19 15. Hold each defendant jointly and severally liable for concert of action.
- 20
- 20 16. Criminally prosecute these criminals to the “fullest” extent of the law.
- 21
- 21 17. Refer this complaint to the California Bar Association.
- 22
- 22 18. Debar Jane Creason from practicing law, after judgment has been paid to the Plaintiff.
- 23
- 23 19. Debar Shawn Bankson from practicing law after judgment has been paid in
- 24 to the Plaintiff.
- 25
- 26
- 27
- 28

1 20. Severely reprimand and/or prohibit the law firm Kimball, Tirey & St. John LLP from
2 conducting business in America after they have paid the Judgment rendered by this
3 court.
4

5 21. Grant the Plaintiff and interest in Property/Cash or to satisfy judgment
6 rendered by this court.
7

8 22. Order the defendants to Post a Cash Bond for the amount of Judgment
9 rendered by this court in favor of the Plaintiff.
10

11 23. Order the defendants to pay the judgment render by this court.
12

13 24. Dissolve the injunction after the Plaintiff is fully compensated for the
14

15 25. Judgment rendered by this court.
16

17 26. Pre-judgment and/or post judgment interest at the maximum legal rate.
18

19 27. Stay any and all legal proceedings, execution, and enforcement of Orders, Judgment,
20 writs, etc. requested of the Plaintiff in this U.S. Federal District.
21

22 28. Preliminary Injunction and Consolidate with merit of Trial.
23

24 29. Any other remedies of relief as the court may deem proper and just.
25

26

27

28

20
21 Dated : Feb. 18, 2011
22

23
24 
25
26
27
28

Sharon Bridgewater

1 **DECLARATION IN SUPPORT OF EX PARTE-TRO/PRELIMINARY AND**
2 **PERMANENT INJUNCTION**
3

4 I declare as follows:

5 1. That I am the plaintiff herein and if called to testify I can do so based upon first hand
6 knowledge.

7 2. That I was a defendant in an unlawful detainer entitled Hayes Valley Limited
8 Partnership vs. Sharon Bridgewater case No. CUD 06- 617995.

9 3. That I had paid all rents as demanded in the five day notice to pay rent or quit and
10 Hayes Valley Limited Partnership accepted the payments.

11 4. That the defendants made intentional misrepresentations during trial and threaten and
12 coerce and deprived me of a jury trial and forced me out of the apartment against my will.

13 5. That Hayes Valley Limited Partnership refused to acknowledge that fact to either me
14 or the Court even though the rental ledger reflected that all rents were paid as demanded, and
15 was done prior to trial.

16 6. In fact these attorneys at all times demanded additional payments outside what was
17 demanded by the five notice to pay rent or quit.

18 7. That Exhibits ALL are true and correct copies of the original exhibits as attached to
19 the verified complaint.

20 8. That as a matter of law Hayes Valley Limited Partnership had a legal duty not deceive
21 either me or the court of these facts.

22 9. That I have asked the defendants to settle this matter on more than three occasion and
23 the defendants refuse to and have not communicated any settlement offer.

24 10. That the defendants have only hinder, delayed and dissuade and refuse to pay Plaintiff
25 for damages sustained.

26 11. That the defendants at all times mentioned were not licensed by the California
27 Department of Real Estate in the collection of rents.

28 12. That the defendants continues to cause irreparable harm to Plaintiff.

EX-PARTE DECLARATION FOR TEMPORARY RESTRAINING

ORDER/PRELIMINARY AND PERMANENT INJUNCTION

Friday - Motion with leave to amend complaint
"non" oral arguments.

Monday - Tuesday [and earliest] - File notice for summary judgment
Ex-parte TRO

~~short~~

serve defendants within TRO, motion to amend complaint
Ex-parte Shultz/Spie to hear summary judgment
within notice to defense

Post Bond ←

Jan. 16, 2011 - Filed complaint HUPL

Kurtis Armstrong
1/17/11

White Armstrong
1/17/11

file
tomorrow - motion with leave to amend complaint - personally serve Gilg
"non oral arguments"

~~Not ex-parte Shultz time~~

Ex-parte order shortened time

Monday

1 SHARON BRIDGEWATER
2 201 8TH STREET
3 SAN FRANCISCO, CA 94103
4 In Pro Per
5
6
7

8 **UNITED STATES DISTRICT COURT FOR**
9 **THE NORTHERN DISTRICT OF CALIFORNIA**

10 Sharon Bridgewater,

CASE No. C10-00703(SBA)

11 Plaintiff,

12 Vs.

**PLAINTIFF'S MEMORANDUM IN
SUPPORT OF PLAINTIFF'S MOTION
FOR TEMPORARY RESTRAINING
ORDER AND PRELIMINARY and
PERMANENT INJUNCTION**

13
14 HAYES VALLEY LIMITED PARTNERSHIP

15 AND DOES 1 THRU 50 INCLUSIVE

16
17
18 Defendants,

19
20
21 **MEMORANDUM IN SUPPORT OF PLAINTIFF'S MOTION FOR**
22 **TEMPORARY RESTRAINING ORDER, PRELIMINARY AND**
23 **PERMANENT INJUNCTION**

24
25
26
27
28 Memorandum and Points of Authority TRO, Preliminary Injunction and/or Permanent

Injunction

1

2

3 **INTRODUCTION**

4

5 The Plaintiff seeks a temporary restraining order and preliminary injunction pursuant to Federal
6 Rule 65 and/or rule 66 and/or rule 64, in this action the Plaintiff complaint, to preserve the status
7 quo to prevent further irreparable injury to Plaintiff (creditor) pending trial of this case. to
8 preserve the status quo and prevent further irreparable injury to the Plaintiff pending the trial of
9 this case. And when, during the pendency of an action, it shall appear, by affidavit or proof, that
10 the defendant threatens to render the judgment ineffectual, a temporary restraining order and
11 preliminary injunction may be granted to restrain such removal or disposition is to preserve the
12 status quo pending a final decision on the merits of the case.

13

14 The defendants filed an Unlawful detainer lawsuit for possession of Bridgewater
15 apartment. During this proceeding the defendants, initiated the unlawful detainer for an amount
16 that Bridgewater did not owe. The defendants then, violated Bridgewater due process rights,
17 accepted all rents as demanded still evicted Bridgewater.

18

19 Unlawful detainers are summary proceeding and require strict compliance with California
20 Law. The Defendants are "crooks," criminals, white collard "fraudsters," and whatever other
21 name suit these criminals. Violation of the civil rico statue, racketeered, and corrupt criminal
22 practices authorized this Honorable Federal Court to enter relief.

23

24

25 **Conclusion**

26

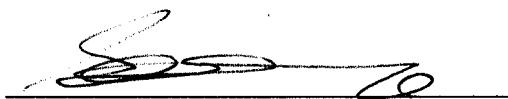
27

28

Memorandum and Points of Authority TRO, Preliminary Injunction and/or Permanent

Injunction

Without this Honorable courts intervention, the Defendants will continue to defraud the government(social economically disadvantaged tenants receiving government funds, and/or the government out of billions of dollars per year). This court must issue a temporary restraining order and/or a preliminary injunction and/or a permanent injunction.



Dated: Feb. 22, 2011

Sharon Bridgewater