

1 Judith Lurie, WSBA #26097  
Carol Vaughn, WSBA #16579  
2 NORTHWEST JUSTICE PROJECT  
23 S. Wenatchee Ave., Suite 110  
3 Wenatchee, WA 98801  
(509) 664-5101

4 Steve Fredrickson, WSBA #4799  
5 COLUMBIA LEGAL SERVICES  
101 Yesler Way, Suite 300  
6 Seattle, WA 98104  
(206) 464-5933

7 Attorneys for Plaintiffs

8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF WASHINGTON

10 JOE TENANT; FRENCHMAN HILL  
APARTMENTS RESIDENT ASSOCIATION,

11 Plaintiffs,

12 vs.

13 FRENCHMAN HILL APARTMENTS  
14 LIMITED PARTNERSHIP; CAMBRIDGE  
MANAGEMENT, INC.; HOUSING  
15 AUTHORITY OF GRANT COUNTY; JOHN  
POLING, in his official capacity as Executive  
16 Director of the Housing Authority of Grant  
County; WASHINGTON STATE HOUSING  
17 FINANCE COMMISSION; KIM HERMAN in  
his official capacity as Executive Director of  
18 the Washington State Housing Finance  
Commission,

19 Defendants.

No.

TEMPORARY RESTRAINING  
ORDER

*PROPOSED*

20 THIS MATTER came on for telephonic hearing before the Court, Honorable

1 \_\_\_\_\_, District Judge, presiding, pursuant to the Plaintiffs' Motion for  
2 Temporary Restraining Order. Plaintiffs Joe Tenant and Frenchman Hill Apartments  
3 Resident Association were represented by their attorneys, Judith Lurie, Carol Vaughn,  
4 and Steve Fredrickson. The Defendants received notice of the hearing as set forth in the  
5 Certificate of Counsel Regarding Notice of Hearing and were represented at the hearing  
6 by their respective attorneys. The Court, having reviewed the Motion, the supporting  
7 Declarations of Joe Tenant and Florence Brassier, Plaintiffs' Memorandum of  
8 Authorities, and the Complaint for Declaratory and Injunctive Relief, HEREBY FINDS:

9       1.     On November 25, 2003, Plaintiff Joe Tenant was notified that he and his  
10 family must vacate their apartment at the Frenchman Hill Apartments no later than  
11 December 31, 2003 or a lawsuit would be filed to evict them from the premises.

12       2.     Frenchman Hill is a federally subsidized low-income housing development  
13 financed through the Low Income Housing Tax Credit (LIHTC) program, established by  
14 Section 42 of the Internal Revenue Code, 26 U.S.C. §42 *et seq.*

15       3.     Mr. Tenant and his family are low-income.

16       4.     Immediate and irreparable harm will result to Plaintiff Joe Tenant if the  
17 Defendants are not enjoined from commencing legal action for the eviction or ejection of  
18 his family pending hearing on the Plaintiffs' Motion for Preliminary Injunction.

19       5.     Entry of the temporary restraining order will not result in financial or other  
20 harm to any of the Defendants.

1 Based on the foregoing, IT IS THEREFORE ORDERED:

2 1. The Plaintiffs' Motion for Temporary Restraining Order is GRANTED.

3 2. The Defendants are restrained from the following acts pending further order  
4 of this Court:

5 Commencing legal action for the eviction or ejection of the household  
6 headed by Plaintiff Joe Tenant from the premises located at Frenchman Hill  
7 Apartments, 590 Beech Ave. No. G-113, Royal City, Washington.

8 3. This Temporary Restraining Order was entered with notice to the  
9 Defendants and shall remain in effect pending the hearing on Plaintiffs' Motion for  
10 Preliminary Injunction and until further order of this Court.

11 4. No security shall be required from the Plaintiffs.

12 5. This Temporary Restraining Order is binding on the parties to this action,  
13 their officers, agents, servants, employees, and attorneys, and upon those persons in  
14 active concert or participation with them who receive actual notice of the order by  
15 personal service or otherwise.

16 Dated this \_\_\_\_ day of \_\_\_\_\_, 2003.

17  
18 \_\_\_\_\_  
United States District Judge

19 Presented by:

20 NORTHWEST JUSTICE PROJECT

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TEMPORARY RESTRAINING ORDER - 3

Northwest Justice Project  
23 S. Wenatchee Ave., Suite 110  
Wenatchee, Washington 98801  
Phone: (509) 664-5101 Fax: (509) 665-6557

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Judith Lurie, WSBA #26097  
Carol Vaughn, WSBA #16579 (application  
pending U.S. District Court, Eastern Dist.)  
Attorneys for Plaintiffs

COLUMBIA LEGAL SERVICES

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Steve Fredrickson, WSBA #4799  
Attorneys for Plaintiffs