

CAUSE NO. DC-12-01909

<b>GIOVANNI BONAUDO and</b>	§	<b>IN THE DISTRICT COURT</b>
<b>MARIA JILMA MALDONADO,</b>	§	
	§	
<b>Plaintiffs,</b>	§	
	§	<b>DALLAS COUNTY, TEXAS</b>
<b>v.</b>	§	
	§	
<b>JUAN ACRA, SECNER USA, LLC, GRUPO</b>	§	
<b>INDUSTRIAL SECNER, S.A. DE C.V.,</b>	§	
<b>SECNER HR S.A. DE C.V., and NORTH</b>	§	<b>192ND JUDICIAL DISTRICT</b>
<b>AMERICAN SECNER HOLDINGS, LLC,</b>	§	
	§	
<b>Defendants.</b>	§	
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**TEMPORARY INJUNCTION**

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On December 29, 2016, Giovanni Bonaudo and Maria Jilma Maldonado (“Plaintiffs/Judgment Creditors”) filed their verified Application for Temporary Restraining Order in Aid of Judgment (“Application”) seeking injunctive relief. Plaintiff/Judgment Creditors’ Application for Temporary Restraining Order was granted and entered on December 30, 2016, by that particular Temporary Restraining Order signed by the Honorable Dale Tillery, Judge of the 134<sup>th</sup> District Court sitting for the Honorable Craig Smith, Judge of the 192<sup>nd</sup> District Court, and, was extended by agreement of the parties through September 11, 2017 at 5:00 p.m. On September 11, 2017, the Court entered a temporary injunction. That injunction

expired on December 31, 2017. The Fifth Court of Appeals is currently considering the appeal of the Judgment in this case, and the Supreme Court is considering a mandamus regarding this Court's Order increasing the bond requirement. There is currently a stay of that order in place.

In addition to the above, Mr. Acra has ~~instituted~~ *filed a petition seeking* a declaratory judgment action to establish the homestead status of the Houston Condominium, as well as the effect of a family court order regarding that Houston Condominium. That ~~action is pending~~ *petition was assigned to the* ~~at the situs of the homestead in Harris County before the~~ 164th District Court, Cause No. 2017-82219 (the "Houston Lawsuit"). *There has been no ~~attempt~~ service of citation of that petition and citation as of the date of this hearing.* Neither Mr. Acra nor Mr. Bonaudo are agreeing by entry of this order to waive any rights, defenses or claims in the Houston Lawsuit or to the Houston Lawsuit. Mr. ~~Bonaudo~~ *Acra* ~~Acra~~ *Bonaudo* excepts from this agreed injunction and does not agree that any filings related to the Houston Lawsuit are prohibited by this Injunction.

Wherefore, the parties agree to the following and the Court ORDERS that Defendant/Judgment Debtor, Juan Acra a/k/a Juan Carlos Acra Lopez, and his agents, servants, representatives, employees, independent contractors, attorneys, and any other persons or entities in active concert or participation with any of them who receive actual notice of this Order by personal service or otherwise, and in the case of Defendant/Judgment Debtor, by service upon his attorneys of record and those having appeared before this Court on behalf of Judgment Debtor in moving to vacate the arbitrator's award in accordance with Texas Rules of Civil Procedure 21 and 21a, are prohibited from taking any of the following actions or engaging in any of the

following conduct, until such time that a full hearing may be had and further order entered before this Court:

(A) from taking any action to transfer, liquidate, convert, encumber, pledge, loan, share, sale, market for sale, conceal, hide, secret, dissipate, deplete, neglect, misuse, damage and/or destroy, lease, assign, granting a lien, copyright, security interest, or other interest in, or otherwise dispose of:

- (1) Property: Real Property and its non-exempt contents located at 5001 Woodway Drive #1105, Houston, Texas 77056 (the “Houston Condominium”);
- (2) Property: United States Patent and Trademark Office Service Mark number 4,294,554 (SECNER) registered on February 26, 2013, and any other service marks, trademarks, and/or patents belonging to or owned by, standing in the name of, or claimed by Judgment Debtor;
- (3) Property: Domain name and registration for [www.secner.com](http://www.secner.com), [www.iesp-energia.com](http://www.iesp-energia.com) and any other domain names belonging to or owned by, standing in the name of, or claimed by Judgment Debtor;
- (4) Property: Stocks, bonds, notes, and/or accounts receivable belonging to or owned by, standing in the name of, or claimed by Judgment Debtor, including, but not limited to Judgment Debtor’s interests in Secner HR, S.A. DE C.V. and Grupo Industrial Secner, S.A. DE C.V. other than the use, transfer, conveyance or dissipation of this class of assets in the normal course of business;

(5) Property: Unclaimed property in the amount of \$500.65 from JPMorgan Chase Bank belonging to or owned by, standing in the name of Judgment Debtor as reflected in the records of the Texas Comptroller of Public Accounts; and

(B) failing to pay when due any casualty insurance premiums and/or property taxes, homeowner's/condominium association dues, or other 5001 Woodway Drive Obligations as set forth in the Declaration of Juan Acra Regarding Net Worth filed in this matter on or about January 18, 2017, or otherwise taking any action contrary to the preservation of the assets/properties identified herein;

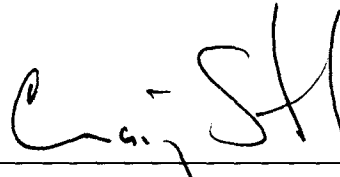
(C) encouraging, requesting, assisting, suggesting, directing, or implying to anyone that any natural or legal person perform or do any of the matters or things otherwise prohibited by the temporary restraining order.

IT IS FURTHER ORDERED that Judgment Debtor is hereby commanded forthwith to comply with this Temporary Injunction from the date of entry until June 1, 2018. Either party may withdraw their agreement and move to modify or vacate this order provided that 30 days' notice of any such hearing is provided.

The clerk of the above-entitled Court shall forthwith issue a temporary injunction in conformity with the law and the terms of this order. Plaintiffs/Judgment Debtors' cash bond of one hundred dollars (\$100.00) already posted with the Court shall be applied to the Temporary Injunction.

SO ORDERED.

SIGNED on the 11 day of January, 2018



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JUDGE PRESIDING