



temporary injunction as requested in its pleadings against Defendants, Victoria Gonzales Zarate D/B/A Club Eclipse, Sunlight Group Inc and the *In Rem* Defendant, the Real Property Known as 2628 FM 1960 Rd . Houston, Texas 77073.

The Court further finds that

- a) based on the evidence presented by Plaintiff, Defendants maintain a place to which persons habitually go for the purposes of consuming alcohol during prohibited hours and committing violent crimes, specifically aggravated assaults, robbery, and aggravated robbery and Defendants knowingly tolerate this activity and fail to make reasonable attempts to abate the activity, and
- b) the Plaintiff has presented sufficient evidence to support the granting of a temporary injunction pursuant to Chapter 125 of the Civil Practice and Remedies Code and Chapter 101.70 of the Texas Alcoholic Beverage Code

IT IS ORDERED THAT the Defendant **VICTORIA ZARATE D/B/A CLUB ECLIPSE** shall:

- 1 Prohibit the selling, serving and consuming of alcohol anywhere on the premises of Club Eclipse
- 2 Remain closed between the hours of 10 30 p m and 10 30 a.m and display the hours of operation prominently on the front door of the Club
- 3 Maintain an ID/Bar Check station outside of the building at the entrance utilized for patron admission and conduct bag searches at the same station A staff person must examine/check the bags of all patrons, employees and independent contractors prior to admitting them into the Club. Bag checks must be conducted in unobstructed view

of a surveillance camera Any person found in possession of illegal contraband shall be denied entrance and reported to the law enforcement immediately.

- 4 Install four (4) exterior cameras to be located outside the entrance to the Club. These cameras shall be capable of recording the front door to the club, the rear exit to the Club, the parking lot area and the bag check stations Install six (6) interior cameras to capture the activities in areas of the club where the public is permitted The locations of all of the cameras are subject to approval by the State of Texas Cameras must record and store video for 30 days and have the capability to burn video to disc and copy to a USB drive or portable storage device and be made available to law enforcement upon request
- 5 Install lighting sufficient to allow cameras to capture quality recordings in all areas except the dance floor, so long as the dance floor camera has the capability of recording in low light areas
- 6 Make all video available to law enforcement within 24 hours of request
- 7 Post a sign outside the club, easily visible by patrons, stating that the premises are under surveillance
- 8 Hire two licensed police officers in full agency issued uniform to work security every night the Club is open beginning at 6.00 p m until the Club closes at 10.30 p m. One of the uniformed officers is required to secure the front entrance to the Club and one officer is required to patrol the entire perimeter of the Property and parking lot at least every hour.
- 9 Maintain an activity log of all law enforcement action taken at the club whether inside the club or outside

10. Produce the weekly activity logs to the Harris County Attorney's Office c/o Julie Countiss, Assistant County Attorney, and to Defendants, Sunlight Group Inc. every Monday by 5 00 p.m. detailing the events of the prior week
- 11 Enforce a policy that anyone found to be in violation of any section of the Texas Penal Code shall not be permitted to enter the Club. A report must be immediately made to the appropriate Texas law enforcement agency.
12. Perform criminal background checks on all current and future employees and independent contractors Terminate and/or refuse to hire any independent contractor or employee at Club Eclipse who is found to have been convicted of any felony in the preceding ten (10) years.
- 13 Terminate, refuse or deny employment to any person found to have been convicted of any felony criminal offense or drug offense in the past 10 years
- 14 Refuse entrance to anyone under the age of 18 years of age in the Club Eclipse
- 15 Comply with all Fire Safety Codes including abiding by a maximum occupancy at the Club based on the Fire Marshal inspection
16. Require employees to contact law enforcement in the event that they witness any illegal activity.

IT IS FURTHER ORDERED that Defendant Victoria Zarate d/b/a Club Eclipse incur all costs associated with this temporary injunction order set out herein It is further ORDERED that any serious or repeated violations of ORDER will result in a show cause hearing, prior to trial, at which time the Court will consider issuing a permanent injunction order It is further.

ORDERED that Defendant Victoria Zarate d/b/a Club Eclipse execute a bond in compliance with Section 125 045(a) of Chapter 125, which bond must:

- (1) Be payable to the State,
- (2) Be in the amount of \$5,000.00.
- (3) Have Sufficient sureties approved by the Court.
- (4) Be conditioned that Defendant will not knowingly maintain a common nuisance pursuant to Chapter 125:
- (5) Be posted on or before Friday, February 27, 2015

IT IS ORDERED THAT the Defendant SUNLIGHT GROUP INC., and the Real Property Known as 2628 FM 1960 Rd , Houston , TX 77073 shall

1. Install additional and significant lighting throughout the parking lot located in front of 2628 FM 1960 that remains illuminated from sunset until sunrise
2. Install twelve (12) exterior cameras throughout the premises located at 2628 FM 1960 to capture activities in the parking lot and in front of businesses located within the strip center at this location
3. Install and prominently display signs prohibiting loitering and trespassing on the premises. These signs should be located throughout the strip center and visible to individuals who frequent the parking lot area
4. Hire 2 licensed peace officers to monitor the parking lot area at 2600 FM 1960 Rd from 8.00pm to 3 00am. Thursday through Sunday. The peace officers shall be required to maintain an activity log throughout the night documenting any criminal activity.
5. Provide the County Attorney with the lease and rental information for the business located at 2628 FM 1960 Rd This information should be provided to the Harris County Attorney's Office, c/o Julie Countiss no later than Friday, February 27, 2015

Any changes or updates to this information shall be supplemented to Ms Countiss immediately.

6. Provide the Harris County Attorney's Office, c/o Julie Countiss with a copy of the TABC license for any club or bar that leases the space at 2628 FM 1960 Rd

IT IS FURTHER ORDERED that Defendants incur all costs associated with this temporary injunction order set out herein. It is further ORDERED that any serious or repeated violations of ORDER will result in a show cause hearing, prior to trial, at which time the Court will consider issuing a permanent injunction order It is further,

ORDERED that Defendants Sunlight Group Inc and the *In Rem* Defendant, the Real Property Known as 2628 FM 1960 Rd, Houston, Texas 77073 execute a bond in compliance with Section 125 045(a) of Chapter 125, which bond must

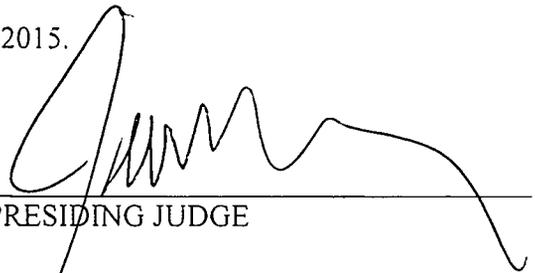
- (1) Be payable to the State,
- (2) Be in the amount of \$10,000 00.
- (3) Have Sufficient sureties approved by the Court.
- (4) Be conditioned that Defendants will not knowingly maintain a common nuisance pursuant to Chapter 125.
- (5) Be posted on or before Friday, February 27, 2015.

ORDERED that this cause be set for trial on September 14, 2015 It is further,

ORDERED that, in keeping with Section 6 002 of the Texas Civil Practices & Remedies Code, the State is not required to post a bond

This Order shall be served pursuant to Section 125.002(c) of Chapter 125 to all parties through their attorneys of record.

SIGNED this 24<sup>th</sup> day of February, 2015.



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PRESIDING JUDGE



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office this February 25, 2015

Certified Document Number: 64382354 Total Pages: 7

Chris Daniel, DISTRICT CLERK  
HARRIS COUNTY, TEXAS

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