

Alex Luk, Yu Juan Zhang, Oak Spa located at 9544 Richmond Ave, The Real Property known as 9544 Richmond Ave, Houston, Texas, *In Rem*; Vo Richmond Plaza LLC, Mam Spa and Paris Spa, located at 13662 Westheimer, The Real Property known as 13660 Westheimer, Houston, Texas, *In Rem*; Ampex Westheimer Plaza LP, 249 Spa located at 14901 Tomball Pkwy, the Real Property known as 14901 Tomball Pkwy, Houston, Texas, *In Rem*; Blue Creek Hollister LLC, JC Spa located at 2900 Hillcroft, the Real Property known as 2900 Hillcroft, Houston, Texas, *In Rem*; Beacon Capital Investments LP, and Dan Ma. The Plaintiff's application is included in its First Amended Petition.

1. The Court **FINDS** that due notice of the hearing has been given to all Defendants except Dan Ma. All parties, including the *in rem* Defendants, appeared in person or through their respective attorneys. After consideration of the evidence and argument of counsel, the Court finds and concludes as follows:

2. The Court **FINDS** it has jurisdiction over the subject matter of this case and jurisdiction over the parties pursuant to Tex. Civ. Prac. & Rem. Code § 125.002(a).

3. The Court **FINDS** Harris County Attorney Vince Ryan is duly authorized to bring this cause of action pursuant to Tex. Civ. Prac. & Rem. Code § 125.002(a). 10. Venue of this lawsuit lies in Harris County, Texas pursuant to Tex. Civ. Prac. & Rem. Code § 15.016 & § 125.002(a).

4. The Court **FINDS** entry of this Judgment is in the public interest.

5. The Court **FINDS** the evidence clearly establishes that on numerous occasions Defendants have operated their businesses and properties in violation of the laws, statutes, and ordinances which apply to the Property, particularly those regulating Sexually Oriented Businesses and massage establishments.

6. The Court **FINDS**, with respect to Plaintiff's claims to abate a common nuisance under Chapter 125 of Texas Civil Practice & Remedies Code that Plaintiffs are likely to succeed on the merits under § 125.002 and that a temporary injunction is necessary to prevent the Defendants from maintaining a common nuisance.

INJUNCTION

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

7. Defendant **Alex C. Luk**, who owns the Real Property Known As 8320 Gulf Fwy, Houston, Texas, and Defendant **The Real Property Known As 8320 Gulf Fwy, Houston, Texas, *In Rem***, shall cease leasing space in the shopping center located at 8230 Gulf Fwy to any tenant who operates as a spa, massage establishment, or a sexually oriented business.

a. Landlord shall require all future and current tenants of the Property to provide proof of valid permits and licenses required by any authority for the Permitted Use and the conduct of Tenant's business operations. All future leases between Landlord and any tenant on the Property shall include the requirements found in this Temporary Injunction, and shall specifically state that a violation of any requirement herein by tenant is an event of default. Landlord must serve Notice of Default pursuant to the terms of the Lease Agreement on any tenant unable or unwilling to produce valid permits and licenses required for the transaction of its business on the premise.

b. Landlord shall not allow Karl Todd Erickson, Yu Juan Zhang, or Dan Ma, or any business owned or operated by them, to be a tenant at the Property until further order of this Court.

c. Landlord shall install ten (10) exterior cameras throughout the Property to capture and record activities in the parking lot and in front of businesses within the Property. Landlord shall maintain recordings of such activities for at least 30 days, and shall provide such recordings to the Plaintiff or local law enforcement upon their request.

d. Defendants shall perform public records background checks on every person who leases or rents Defendants' property located at 8320 Gulf Fwy. Houston, Texas.

e. Upon actual notice or written notice from the appropriate authorities, Defendants shall immediately evict and terminate the lease of any person or entity renting, leasing or occupying any space on the property at 8320 Gulf Fwy., Houston, Texas, that has criminal violations or charges currently against any of their employees or themselves, for violations involving unlicensed massage parlors under the Occupations Code, Texas Penal Code and county regulations.

f. Defendants shall not operate or knowingly allow the operation of any business engaged in providing unlicensed massage services on the property at 8320 Gulf Fwy., Houston, Texas.

g. It is further ORDERED that Defendant Alex C. Luk shall execute a bond in compliance with Section 125.045(a) of Chapter 125 of, which bond must:

- (1) Be payable to the State;
- (2) Be in the amount of **\$5000.00**;
- (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 August 24, 2016.

8. Defendant **Vo Richmond Plaza LLC**, which owns the Real Property Known As 9544 Richmond Ave., Houston, Texas and Defendant the **Real Property Known As 9544 Richmond, Houston, Texas, *In Rem*** shall cease leasing space in the shopping center located at 9544 Richmond Avenue to any tenant who operates as a spa, massage establishment, or a sexually oriented business.

a. Landlord shall require all future and current tenants of the Property to provide proof of valid permits and licenses required by any authority for the Permitted Use and the conduct of Tenant's business operations. All future leases between Landlord and any tenant on the Property shall include the requirements found in this Temporary Injunction, and shall specifically state that violation of any requirement herein by tenant is an event of default. Landlord must serve Notice of Default pursuant to the terms of the Lease Agreement on any tenant unable or unwilling to produce valid permits and licenses required for the transaction of its business on the premise.

b. Landlord shall not allow Karl Todd Erickson, Yu Juan Zhang, or Dan Ma, or any business owned or operated by them, to be a tenant at the Property until further order of this Court.

c. Landlord shall install ten (10) exterior cameras throughout the Property to capture and record activities in the parking lot and in front of businesses within the Property. Landlord shall maintain recordings of such activities for at least 30 days, and shall provide such recordings to the Plaintiff or local law enforcement upon their request.

d. Defendants shall perform public records background checks on every person who leases or rents Defendants' property located at 9544 Richmond Avenue, Houston, Texas.

e. Upon actual notice or written notice from the appropriate authorities, Defendants shall immediately evict and terminate the lease of any person or entity renting, leasing or occupying any space on the property at 9544 Richmond Avenue, Houston, Texas, that has criminal violations or charges currently against any of their employees or themselves, for violations involving unlicensed massage parlors under the Occupations Code, Texas Penal Code and county regulations.

f. Defendants shall not operate or knowingly allow the operation of any business engaged in providing unlicensed massage services on the property at 9544 Richmond Avenue, Houston, Texas.

g. It is further ORDERED that Defendant Vo Richmond Plaza LLC shall execute a bond in compliance with Section 125.045(a) of Chapter 125 of, which bond must:

- (1) Be payable to the State;
- (2) Be in the amount of \$5000.00;
- (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 August 24, 2016.

9. Defendant **Ampex Westheimer Plaza LP**, which owns the Real Property Known As 13660 Westheimer, Houston, Texas, and Defendant the **Real Property Known As 13660 Westheimer, Houston, Texas, *In Rem***, shall cease leasing space in the shopping center located at 13660 Westheimer to any tenant who operates as a spa, massage establishment, or a sexually oriented business.

a. Landlord shall require all future and current tenants of the Property to provide proof of valid permits and licenses required by any authority for the Permitted Use and the conduct of Tenant's business operations. All future leases between Landlord and any tenant on the Property shall include the requirements found in this Temporary Injunction, and shall specifically state that violation of any requirement herein by tenant is an event of default. Landlord must serve Notice of Default pursuant to the terms of the Lease Agreement on any tenant unable or unwilling to produce valid permits and licenses required for the transaction of its business on the premise.

b. Landlord shall not allow Karl Todd Erickson, Yu Juan Zhang, or Dan Ma, or any business owned or operated by them, to be a tenant at the Property until further order of this Court.

c. Landlord shall install ten (10) exterior cameras throughout the Property to capture and record activities in the parking lot and in front of businesses within the Property. Landlord shall maintain recordings of such activities for at least 30 days, and shall provide such recordings to the Plaintiff or local law enforcement upon their request.

d. Defendants shall perform public records background checks on every person who leases or rents Defendants' property located at 13660 Westheimer, Houston, Texas.

e. Upon actual notice or written notice from the appropriate authorities, Defendants shall immediately evict and terminate the lease of any person or entity renting, leasing or occupying any space on the property at 13660 Westheimer, Houston, Texas, that has criminal violations or charges currently against any of their employees or themselves, for violations involving unlicensed massage parlors under the Occupations Code, Texas Penal Code and county regulations.

f. Defendants shall not operate or knowingly allow the operation of any business engaged in providing unlicensed massage services on the property at 13660 Westheimer, Houston, Texas.

g. It is further ORDERED that Defendant **Ampex Westheimer Plaza LP** shall execute a bond in compliance with Section 125.045(a) of Chapter 125 of, which bond must:

- (1) Be payable to the State;
- (2) Be in the amount of \$5000.00;
- (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 August 24, 2016.

10. Defendant **Blue Creek Hollister LLC**, which owns the Real Property Known As 14901 State Highway 249 and Defendant the **Real Property Known As 14901 State Highway 249, Houston, Texas, In Rem**, shall cease leasing space in the shopping center located at 14901 State Highway 249 to any tenant who operates as a spa, massage establishment, or a sexually oriented business. ("SOB").

a. Landlord shall require ~~all future and current~~ ^{unlicensed} tenants of the Property to provide proof of valid permits and licenses required by any authority for the Permitted Use and the conduct of Tenant's business operations. All future leases between Landlord and any ^{spa, massage, SOB, and gameroom} tenant on the Property shall include the requirements found in this Temporary Injunction, and shall specifically state that violation of any requirement herein by tenant is an event of default. Landlord must serve Notice of Default pursuant to the terms of the Lease

SOB, or gameroom

Agreement on any tenant unable or unwilling to produce valid permits and licenses required for the transaction of its business on the premise.

b. Landlord shall not ^{knowingly} allow Karl Todd Erickson, Yu Juan Zhang, or Dan Ma, or any business owned or operated by them, to be a tenant at the Property until further order of this Court. ^{spa, massage, SOB, or gameroom}

~~c. Landlord shall install ten (10) exterior cameras throughout the Property to capture and record activities in the parking lot and in front of businesses within the Property. Landlord shall maintain recordings of such activities for at least 30 days, and shall provide such recordings to the Plaintiff or local law enforcement upon their request.~~

~~d. Defendants shall perform public records background checks on every person who leases or rents Defendants' property located at 14901 State Highway 249, Houston, Texas.~~

e. Upon actual notice or written notice from the appropriate authorities, Defendants shall immediately evict and terminate the lease of any ^{occupant or tenant} ~~person or entity~~ ^{engaged} in unlicensed spa, massage, SOB, or gamerooms ~~renting, leasing or occupying any space~~ on the property at 14901 State Highway 249, Houston, Texas, that has criminal violations or ~~charges currently~~ against any of their employees or themselves, for violations involving unlicensed massage parlors under the Occupations Code, Texas Penal Code and county regulations.

f. Defendants shall not operate or knowingly allow the operation of any business engaged providing unlicensed massage services on the property at 14901 State Highway 249, Houston, Texas.

g. It is further ORDERED that Defendant **Blue Creek Hollister LLC** shall execute a bond in compliance with Section 125.045(a) of Chapter 125 of, which bond must:

- (1) Be payable to the State;
- (2) Be in the amount of \$5000.00;
- (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 August 24, 2016.

11. Defendant **Beacon Capital Investments LP** is the owner of the Real Property Known As 2900 Hillcroft and Defendant the Real Property Known As 2900 Hillcroft, Houston, Texas, *In Rem*, shall cease leasing space in the shopping center located at 2900 Hillcroft to any tenant who operates as a spa, massage establishment, or a sexually oriented business.

a. Landlord shall require all future and current tenants of the Property to provide proof of valid permits and licenses required by any authority for the Permitted Use and the conduct of Tenant's business operations. All future leases between Landlord and any tenant on the Property shall include the requirements found in this Temporary Injunction, and shall specifically state that violation of any requirement herein by tenant is an event of default. Landlord must serve Notice of Default pursuant to the terms of the Lease Agreement on any tenant unable or unwilling to produce valid permits and licenses required for the transaction of its business on the premise.

b. Landlord shall not allow Karl Todd Erickson, Yu Juan Zhang, or Dan Ma, or any business owned or operated by them, to be a tenant at the Property until further order of this Court.

c. Landlord shall install ten (10) exterior cameras throughout the Property to capture and record activities in the parking lot and in front of businesses within the Property. Landlord shall maintain recordings of such activities for at least 30 days, and shall provide such recordings to the Plaintiff or local law enforcement upon their request.

d. Defendants shall perform public records background checks on every person who leases or rents Defendants' property located at 2900 Hillcroft, Houston, Texas.

e. Upon actual notice or written notice from the appropriate authorities, Defendants shall immediately evict and terminate the lease of any person or entity renting, leasing or occupying any space on the property at 2900 Hillcroft, Houston, Texas, that has criminal violations or charges currently against any of their employees or themselves, for violations involving unlicensed massage parlors under the Occupations Code, Texas Penal Code and county regulations.

f. Defendants shall not operate or knowingly allow the operation of any business engaged providing unlicensed massage services on the property at 2900 Hillcroft, Houston, Texas.

g. It is further ORDERED that Defendant **Beacon Capital Investments LP** shall execute a bond in compliance with Section 125.045(a) of Chapter 125 of, which bond must:

- (1) Be payable to the State;
- (2) Be in the amount of \$5000.00;

(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 August 24, 2016.

12. Defendant Karl Tod Erickson shall cease operating, owning, or otherwise being a part of an unlicensed spa or unlicensed massage establishment business in Harris County.

a. It is further ORDERED that Defendant Karl Tod Erickson shall execute a bond in compliance with Section 125.045(a) of Chapter 125 of, which bond must:

(1) Be payable to the State;

(2) Be in the amount of \$5000.00;

(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 August 24, 2016.

13. Defendant Yu Juan Zhang shall cease operating, owning, or otherwise being a part of a spa, massage establishment, or a sexually oriented business in Harris County.

a. It is further ORDERED that Defendant Yu Juan Zhang shall execute a bond in compliance with Section 125.045(a) of Chapter 125 of, which bond must:

(1) Be payable to the State;

(2) Be in the amount of \$5000.00;

(3) Have Sufficient sureties approved by the Court;

(4) Be conditioned that Defendant will not knowingly maintain a common nuisance pursuant to Chapter 125;

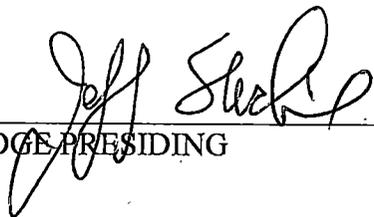
(5) Be posted on or before August 24, 2016.

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 this 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 this cause be set for trial on two week docket commencing November 14, 2016.

In keeping with Section 6.001 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.

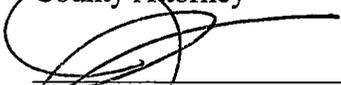
SIGNED THIS 22 day of Aug, 2016.



JUDGE PRESIDING

APPROVED AS TO FORM:

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County Attorney



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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 August 22, 2016

Certified Document Number: 71582165 Total Pages: 13

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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