

CAUSE NO. \_\_\_\_\_

JASMINE RAE WISE, INDIVIDUALLY	§	IN THE DISTRICT COURT OF
AND AS THE REPRESENTATIVE OF	§	
THE ESTATE OF CHRYSTLE RAE WISE	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	
	§	
E. I. DU PONT DE NEMOURS AND	§	HARRIS COUNTY, TEXAS
COMPANY and RANDALL CLEMENTS	§	
<i>Defendant,</i>	§	
	§	_____ <sup>TH</sup> JUDICIAL DISTRICT

**TEMPORARY RESTRAINING ORDER AND ORDER ON HEARING ON APPLICATION FOR TEMPORARY INJUNCTION, AND APPLICATION TO ENTER PREMISES TO INSPECT, FILM AND PHOTOGRAPH**

The application of Plaintiffs for a temporary restraining order, temporary injunction, and entry for the purposes of inspection, filming and photographing, having been presented to me on this \_\_\_\_\_ of November, 2014, and it clearly appears from the facts set forth in said verified Petition and that immediate and irreparable injury, loss, and damage will result to the Plaintiffs before notice can be served upon the Defendant and a hearing had on Plaintiffs' Application for Temporary Injunction and for entry for the purposes of inspection, filming and photographing unless Defendant **E. I. DU PONT DE NEMOURS AND COMPANY** is immediately restrained from changing, altering or destroying documents, as well as moving, removing, or altering any and all tangible evidence, including all information stored, held or maintained in electronic format or via the internet. The Court finds that such a restraining order will preserve the status quo in matters in which the Plaintiffs will have no adequate remedy at law.

Therefore, the Defendant **E. I. DU PONT DE NEMOURS AND COMPANY** is:

COMMANDED to refrain and resist from any changing, alteration and/or destruction of any documents pertaining to the November 15, 2014, methyl mercaptan release and exposure at the Dupont Plant in LaPorte, Texas, including all information stored, held or maintained in electronic format or via the internet, except for any and all efforts that may be necessary or become necessary in the very near future for the rescue or safety of persons in the immediate area of the methyl mercaptan release and exposure site.

THE COURT RECOGNIZES THE ONGOING RESCUE AND INVESTIGATION EFFORTS OF THE FOLLOWING GOVERN. THIS ORDER DOES NOT RESTRICT THE DIRECTION, ACTIVITIES OR INVESTIGATION OF ANY GOVERNMENTAL AGENCIES IN THEIR INVESTIGATION OR RESCUE EFFORTS INCLUDING BUT NOT LIMITED TO ALL APPLICABLE STATE AND COUNTY MEDICAL EXAMINER'S OFFICES, OSHA, EPA, CHEMICAL SAFETY BOARD, OR OTHER FEDERAL GOVERNMENTAL AGENCIES. Said injunction includes, but is not limited to any and all tools, instrumentalities, and/or devices which may have been used by workers, in any capacity, as well as work authorizations or other documents indicating status of work at the time of the event in question as well as any and all physical evidence of any kind in any way connected with the incident and/or incident scene in question. This Order applies to **E. I. DU PONT DE NEMOURS AND COMPANY** and their attorneys, agents, servants, employees, contractors, contractors' employees, and/or those acting in concert with **E. I. DU PONT DE NEMOURS AND COMPANY** it is

ORDERED ADJUGED, and DECREED that a hearing on the temporary injunction and application be, and it is hereby set for the \_\_\_\_ day of November, 2014, at \_\_\_\_ o'clock, \_\_\_\_.

This Temporary Restraining Order shall become effective immediately upon the posting of a bond in the amount of \$100.00 DOLLARS or deposit of \$100.00 DOLLARS with the Clerk of the Court. It is further

ORDERED, ADJUDGED and DECREED that notice issue to the Defendant **E. I. DUPONT DE NEMOURS AND COMPANY** commanding them to appear and show cause, if any, why the Temporary Injunction and entry to preserve and maintain all documents and tangible evidence pertaining to the November 15, 2014, methyl mercaptan release and exposure at the Dupont Plant in LaPorte, Texas, including all information stored, held or maintained in electronic format or via the internet as prayed for in Plaintiffs' Application should not be granted.

SIGNED on this \_\_\_\_, day of November, 2014.

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**JUDGE PRESIDING**