

**IN THE COUNTY COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2023-028509-CC-23

SECTION: ND05

JUDGE: Chiaka Ihekweba

142 Realty, LLP

Plaintiff(s) / Petitioner(s)

vs.

Juice and Java NMB, LLC

Defendant(s) / Respondent(s)

TEMPORARY RESTRAINING ORDER

This matter came before the court on April 6, 2023 via an emergency filing by Plaintiff/Landlord 142 Realty, LLLP ("Landlord"), asking the Court for an emergency temporary restraining order preventing Tenant from continuing to auction off and sell the chattel located in the leased premises in which Landlord has a security interest and lien on. Upon a review of the pleadings, file and motion papers, it is hereby

ORDERED and ADJUDGED:

Plaintiffs' emergency motion for a temporary restraining order is GRANTED. The Court finds that the essential elements necessary for the issuance of a temporary injunction: (1) irreparable harm; (2) a clear legal right; (3) an inadequate remedy at law; and (4) that the public interest will be served, have been met. *Oxford v Merrill*, 374 So.2d 54 (Fla. 3d DCA 1979).

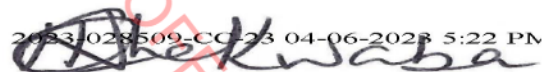
Tenant, its agents, employees, servants, and all other persons and entities are restrained and forbidden from:-

- 1) selling, auctioning, converting, or otherwise removing the chattel, fixtures, furniture, and goods located in the leased premises located at 15180 Biscayne Blvd., North Miami Beach, Florida,
- (2) conducting an active auction from the leased premises;
- (3) the removal of plumbing cooking fixtures and appliances affixed to the walls from the leased premises;
- (4) removing any of the Landlords possessions, goods chattel, equipment and or furniture that was given at the time of the lease;
- (5) removing and disconnecting plumbing lines and gas lines;

All these actions/conduct listed above shall be stopped and are forbidden until further order of this Court. The leased premises is the premises located at 15180 Biscayne Blvd., North Miami Beach, Florida.

After the Defendant is served, within seven (7) days, the parties must mutually coordinate a date and time for a hearing before this Honorable Court to set an amount of bond which the Court deems proper to be issued in this case.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this 6th day of April, 2023.

2023-028509-CC-23 04-06-2023 5:22 PM


2023-028509-CC-23 04-06-2023 5:22 PM
Hon. Chiaka Ihekweba

COUNTY COURT JUDGE
Electronically Signed

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

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