

OFFICIAL RECEIPT
Robyn Flowers District Clerk
Walker County Courthouse
1100 University Ave., Room 209
Huntsville, Texas 77340
Phone: 936-436-4972
Fax: 936-436-4973

Payor
RUSSELL, GEORGE H.

Receipt No.
DC-14798

Transaction Date
11/23/2015

Description	Amount Paid
RUSSELL, GEORGE H. 1527681 GEORGE H. RUSSELL PRESIDENT THE ETHICIAN FOUNDATION VS THE CITY OF HUNTSVILLE	
Base Filing Fees - Civil DC	262.00
Clerk Filing Fee	50.00
Court Record Preservation Fee Fund 291 \$10 Fee	10.00
Court Reporter	15.00
Courthouse Security	5.00
Electronic Filing Fee	30.00
Indigent Legal Services	10.00
Law Library	35.00
Record Archive Fee	5.00
Records District Clerk-Fund 295 \$5 Fee	5.00
Records Mgmt Fund 290 \$5	5.00
State Consolidated Fee \$50 non-family	50.00
Support of Judiciary Fund	42.00
SUBTOTAL	262.00
Remaining Balance Due: \$0.00	

PAYMENT TOTAL **262.00**

Check (Ref #1701) Tendered	262.00
Total Tendered	262.00
Change	0.00

11/23/2015
03:56 PM

Cashier
Station PAM

Audit
2147514

OFFICIAL RECEIPT

IN THE 278TH JUDICIAL DISTRICT, WALKER COUNTY, TEXAS
CASE NUMBER 1527681

GEORGE H. RUSSELL, PRESIDENT
THE ETHICIAN FOUNDATION
PETITIONER

V.

THE CITY OF HUNTSVILLE, TEXAS
RESPONDENT

VERIFIED PETITION FOR TEMPORARY INJUNCTION

GEORGE H. RUSSELL for himself and on behalf of THE ETHICIAN FOUNDATION petitions this Honorable Court to issue a temporary injunction and in support thereof states:

JURISDICTIONAL ALLEGATIONS

1. This is an action for the equitable remedy of a temporary injunction.
2. Petitioner is a 501 (c) 3 OPERATING FOUNDATION and is located in Huntsville, Texas and Petitioner's affected properties are located in Walker County, Texas. George H. Russell, President of The Ethician Foundation is a resident and taxpaying citizen of Huntsville, Walker County, Texas.
3. The threatened harm to be enjoined is threatened to be imposed in Huntsville, Walker County, Texas.
4. Respondent is a City located within the borders of Walker County, Texas
5. This Honorable Court has jurisdiction.

FILED
TIME 3:46
23 DAY OF Nov 2015
ROBYN FLOWERS
District Clerk, Walker County
By X. Heumann Deputy

FACTUAL ALLEGATIONS

6. Petitioner has personal knowledge that respondent, The City of Huntsville, Texas has a well-formed plan to act in a manner that will surely cause petitioner's urban wildlife sanctuary, museums, and other historic properties serious harm.
7. The planned act complained of is a project known as The Town Creek Drainage Project and associated contracts and sub-contracts.
8. The threatened harm is the planned destruction of The Ethician Foundation's Urban Wildlife Sanctuary located on a natural part of Town Creek and the destruction of other natural areas associated with the project that would harm the ambiance of The Ethician Foundation's museum and other historic properties as well as tax-paying properties owned by the foundation's President, George H. Russell.
9. The threat is imminent because the City Council has voted, in violation of Section 14.14 of the City Charter to award an associated contract that would speed up the planned irreparable harm to Ethician and Russell properties.
10. An action for money damages alone is insufficient to restore petitioner to its/his status quo ante after the threatened harm because said harm would be IRREPARABLE and would violate both Federal and State environmental and other Statutes.
11. The threatened harm to the petitioner outweighs any substantial harm to the respondent because, the City would then be given adequate time to correct FATAL FLAWS in the Environmental Assessment (EA) and correct egregious and destructive actions proposed in the current plan for the net positive benefit of all tax-paying citizens in the City of Huntsville. There will be positive benefits to the respondent by allowing time to take corrective action before any plans are formalized and actual construction begins.

12. There will be no substantial public interests that will be contravened by this Honorable Court issuing an injunction favoring this particular petitioner. The public interest will be enhanced by this injunction and the Inspector General of FEMA will have more time to investigate allegations of FEMA FRAUD and take corrective action as he may feel is necessary.
13. There is a substantial likelihood that petitioner will prevail in this action, because the facts obtained on the record by discovery will reveal that the EA is "fatally flawed" throughout, there appear to be substantial violations of NEPA and other statutes, and the Town Creek project was illegally promoted and voted for by Councilman and Mayor Mac Woodward in blatant violation of CONFLICT OF INTEREST LAWS.
14. Section 14.19 of the City Charter says that if a City official or employee deliberately violates or attempts to violate some provision of State Law or the City Charter, that they are guilty of Malfeasance of Office and must immediately vacate their office.
15. A temporary injunction is necessary to protect petitioner from the threatened harm and is in the public interest.

WHEREFORE petitioner The Ethician Foundation and its President, George H. Russell moves this Honorable Court to enter an Order enjoining respondent The City of Huntsville, Texas from entering into any contract in violation of Section 14.14 of the City Charter and also from beginning any construction under the current Town Creek Project plans that would cause IRREPARABLE HARM to the natural and historic environments associated with Town Creek and vicinity and properties owned and managed by The Ethician Foundation and/or George H. Russell and granting such other and further relief as the circumstances may warrant.

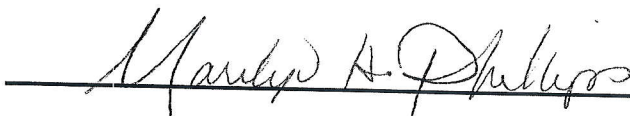
UNDER PENALTIES OF PERJURY I affirm that the facts alleged in the foregoing are true and correct according to my own personal knowledge and belief.


George H. Russell dba THE ETHICIAN FOUNDATION, Petitioner

STATE OF TEXAS

COUNTY OF WALKER

BEFORE ME personally appeared George H. Russell, who, being by me first duly sworn, executed the foregoing in my presence and stated to me that the facts alleged therein are true and correct according to his own personal knowledge.


Marilyn H. Phillips

Notary Public: State of Texas

My commission expires: May 5, 2018

