

IN THE COURT OF COMMON PLEAS OF LUZERNE COUNTY,  
PENNSYLVANIA

Reisinger v. City of Wilkes Barre et al

Doc. 67 Att. 1

CIVIL ACTION – EQUITY

FILED  
PROthonARY  
LUZERNE COUNTY  
2010 SEP 22 AM 8:40

JOSEPH R. REISINGER, :

Petitioner :

Vs. :

No. 12695 of 2010

LUZERNE COUNTY TAX CLAIM :  
BUREAU, THE CITY OF WILKES- BARRE :  
and MID-COUNTY RESOURCES :

ORDER

Petitioner filed an Emergency Petition for Preliminary Injunction and hearing was scheduled this date before the undersigned.

The matter involving petitioner and the City of Wilkes-Barre was disposed of at hearing, by agreement and separate Order. The City of Wilkes-Barre is no longer a party to this injunction proceeding.

Following further colloquy with the parties and submission of briefs by petitioner and Mid-County Resources, the matter was taken under advisement.

The court understands the position of the parties as best it can from the sparse record and the colloquy. The court can perceive immediate and irreparable harm to petitioner and, equally important, to his many clients. Any damages petitioner might incur may well not be compensable. The issuance of a preliminary injunction restores the parties to pre-litigation status.

Assuming for argument Mid-County Resources to be the owner of the property, it can engage in appropriate legal proceedings to secure possession subject to any interest petitioner might have in the property.

It is appropriate that a preliminary injunction issue against Mid-County Resources, effective this date, in accordance with the rules of procedure.

AND NOW, THIS 22 DAY OF SEPTEMBER, 2010, IT IS ORDERED:

1.

That respondent Mid-County Resources is precluded from gaining or attempting to gain occupancy of the premises, changing the locks on the premises or attempting, in any way, to remove the contents of petitioner's law offices, without an appropriate order of court; and,

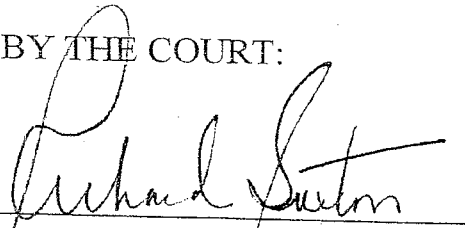
2.

That Bond shall be posted by the petitioner in the amount of Seven Thousand Five Hundred (\$7,500.00), in a form approved by the court.

3.

Further proceedings in this matter shall be in accordance with law.

BY THE COURT:



Richard Saxton, Senior Judge