

CAUSE NO. 2026-70357

**622 SOFI LAKES, LP,
GO-M REALTY LLC, and
DAMAC INVESTMENTS
LLC,**

Plaintiffs,

v.

**JONATHAN GARCIA,
Defendant.**

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**IN THE DISTRICT
COURT OF**

**HARRIS COUNTY,
TEXAS**

**515TH JUDICIAL
DISTRICT**

**DEFENDANT JONATHAN GARCIA’S SUPPLEMENTAL MOTION TO DISSOLVE
THE TEMPORARY RESTRAINING ORDER, OPPOSITION TO ANY EXTENSION,
AND MOTION TO DENY PLAINTIFFS’ APPLICATION FOR TEMPORARY
INJUNCTION**

TO THE HONORABLE JUDGE OF SAID COURT:

Defendant Jonathan Garcia (“Garcia”), appearing pro se, supplements his Motion to Dissolve or, in the Alternative, to Modify and Clarify the Temporary Restraining Order (filed October 6, 2026, Envelope No. 120800704, the “Motion to Dissolve”) with new evidence that arose this evening, opposes any extension of the Temporary Restraining Order signed September 24, 2026 (the “TRO”), and moves the Court to deny Plaintiffs’ Application for Temporary Injunction. Garcia asks that this motion be heard with the Motion to Dissolve at the earliest available time under Texas Rule of Civil Procedure 680. In support, Garcia shows:

I. NEW FACTS: PLAINTIFFS’ PRINCIPAL CALLED GARCIA DIRECTLY TONIGHT

1. Sophia Filfil controls all three Plaintiffs. She is the general partner’s principal of 622 Sofi Lakes, LP, the manager of GO-M Realty LLC, and the person who purports to act for Damac Investments LLC. (Answer ¶¶ 17, 32; Answer Exhs. 1, 33.) Plaintiffs obtained the TRO on her account of the facts.

2. On October 6, 2026, at 6:19 p.m., Garcia emailed Plaintiffs’ counsel, Connor J. Smith, stating his opposition to a motion counsel intends to file and disclosing, as a courtesy, that

Garcia's discovery will include deposition notices to Ms. Filfil's parents and daughter as fact witnesses. At 6:24 p.m., Mr. Smith replied, asking Garcia's basis for deposing Ms. Filfil's family. At 6:32 p.m., Garcia answered: her parents and daughter were present over a period of years when Garcia stayed at Ms. Filfil's home, saw him working on Sofi Lakes, and heard Ms. Filfil and Garcia discuss his equity in the project — the very fact Plaintiffs now deny. (Exhibit A.)

3. Eleven minutes after that email, at 6:43 p.m., Ms. Filfil called Garcia's personal cell phone directly from her personal number. Garcia did not answer. The call is recorded in Garcia's phone log as a carrier-verified call from "Sophia Filfil." (Exhibit B.) Garcia has had no communication with Ms. Filfil since the TRO was signed and did not return the call. Garcia reported the call to Plaintiffs' counsel by email the same evening. (Exhibit C.)

II. THE CALL DEFEATS THE PREMISE OF THE TRO AND OF ANY TEMPORARY INJUNCTION

4. A temporary restraining order may issue, and a temporary injunction may be granted, only on a showing of probable, imminent, and irreparable injury. Tex. R. Civ. P. 680, 683; *Butnaru v. Ford Motor Co.*, 84 S.W.3d 198, 204 (Tex. 2002). Plaintiffs' Application rests on the premise that Garcia's communications are so dangerous to Plaintiffs that he must be restrained, without notice, from contacting anyone connected with their business. (Application ¶ 51; TRO ¶¶ (i)–(iv).)

5. A party who tells the Court it faces irreparable harm from the other side's contact, and then picks up the phone and calls that person herself — eleven minutes after her own lawyer has been told that her family will be asked under oath what she said about Garcia's equity — does not face irreparable harm. She faces litigation she would rather conduct outside the presence of counsel. The call is a party admission by conduct that Plaintiffs do not need the TRO. See Tex. R. Evid. 801(e)(2).

6. The call also exposes the TRO for what it has become: a one-way instrument. The TRO restrains Garcia from contacting Plaintiffs' "clients, lot purchasers, investors, vendors, brokers, brokerage personnel, or homebuilder partners." (TRO ¶ (i).) It places no limit on Ms. Filfil. If Garcia had answered the phone, Plaintiffs would be in a position to argue that he

“communicated regarding the Project.” An order that one side can use as a trap while the other side is free to initiate contact is not an order preserving the status quo; it is a litigation weapon. Equity does not maintain such an order. See *In re Newton*, 146 S.W.3d 648, 651 (Tex. 2004) (purpose of a temporary injunction is to preserve the status quo pending trial, not to give one party an advantage).

III. THE TRO EXPIRES OCTOBER 8, 2026, AND SHOULD NOT BE EXTENDED

7. The TRO was signed September 24, 2026, and by its terms and by Rule 680 runs fourteen days. It expires on October 8, 2026. A temporary restraining order may be extended only once, for a like period, and only for good cause shown or by agreement of the party restrained. Tex. R. Civ. P. 680. Garcia does not agree to any extension.

8. There is no good cause. The hearing on the temporary injunction was set for October 2, 2026, and was passed at Plaintiffs’ request. Plaintiffs have not reset it. Plaintiffs have not verified their petition, have not filed the Exhibits A and B their petition references, and have not filed any affidavit. (Motion to Dissolve ¶ 3.) And Plaintiffs’ principal has now demonstrated by her own conduct that she does not fear contact with Garcia. A party that will not prove its case at the hearing it requested, and that does not itself act as though it is in danger, has not shown good cause to keep an ex parte order in force for a second fourteen-day period.

9. Any extension would also be void for the reasons already stated in the Motion to Dissolve: the TRO does not define the injury, does not state why it is irreparable, does not state why it issued without notice, and purports to grant a “temporary injunction” without the notice Rule 681 requires. Tex. R. Civ. P. 680, 681, 683; *InterFirst Bank San Felipe, N.A. v. Paz Oil Co.*, 715 S.W.2d 640, 641 (Tex. 1986).

IV. THE APPLICATION FOR TEMPORARY INJUNCTION SHOULD BE DENIED

10. The applicant for a temporary injunction must plead and prove (1) a cause of action, (2) a probable right to the relief sought, and (3) a probable, imminent, and irreparable injury in the interim. *Butnaru*, 84 S.W.3d at 204. Plaintiffs cannot carry the third element. Their own pleading quantifies their alleged injury in dollars — “no less than \$1,000,000.00,” plus lost profits and exemplary damages (Petition ¶¶ 34, 36) — and an injury measurable in money is not

irreparable. Their principal's direct call confirms there is no imminent harm from contact with Garcia that an injunction is needed to prevent.

11. Plaintiffs also cannot show a probable right to relief on the issue the injunction is really about — control of Damac Investments LLC. Garcia is a member of record under the Texas Secretary of State's April 1, 2025 filing (Answer Exh. 1); the Certificate of Amendment on which Ms. Filfil relies was not approved by all members as Texas Business Organizations Code § 101.356(d) requires (Answer ¶ 32; Answer Exh. 33); and the 344th District Court of Chambers County, in Cause No. 26DCV0903, found her authority disputed before that case was abated in favor of this one. (Motion to Dissolve Exh. B.) Paragraph (iv) of the TRO, which forbids Garcia from stating that he is a member of Damac, restrains him from asserting the position this Court must decide.

12. Garcia asks that the Application for Temporary Injunction be set for hearing and denied; alternatively, that if any injunctive relief issues, it be mutual, specific, limited to identified companies, websites, and accounts, and carry the litigation carve-out requested in Part III of the Motion to Dissolve.

V. REQUEST FOR RELEASE OF THE BOND AND FOR SANCTIONS

13. Release of the bond. A temporary restraining order is conditioned on the applicant's bond, which is payable to the adverse party for all damages sustained if the order is dissolved. Tex. R. Civ. P. 684. The \$1,000 security Plaintiffs deposited (Exhibit A to the Motion to Dissolve) should be released to Garcia upon dissolution, as partial compensation for the costs and losses the order caused, without prejudice to his claim for the full damages of a wrongful restraining order.

14. Sanctions under Rule 13 and Chapter 10. Plaintiffs' counsel signed and presented an ex parte application that (a) was not verified and was supported by no affidavit, although Rule 680 permits a restraining order without notice only on specific facts shown by affidavit or verified complaint; (b) withheld the very exhibits (A and B) the petition relies on; (c) asked the Court to "grant" a temporary injunction without the notice Rule 681 requires; and (d) sought to restrain Garcia from asserting a membership in Damac that the Texas Secretary of State's own records reflect. A pleading or motion presented for an improper purpose, or whose factual

contentions lack evidentiary support, subjects the signer, the represented party, or both to sanctions. Tex. R. Civ. P. 13; Tex. Civ. Prac. & Rem. Code §§ 10.001, 10.004. Garcia asks that, after notice and hearing, the Court impose a monetary sanction against Plaintiffs and their counsel sufficient to deter the practice and to reimburse Garcia's costs and expenses, including the costs of this motion, in an amount the Court finds just. Id. § 10.004(c); *Low v. Henry*, 221 S.W.3d 609, 619–21 (Tex. 2007).

15. Show cause. Ms. Filfil procured an order restraining Garcia from contacting the people around her business and then telephoned Garcia herself, minutes after learning what discovery was coming. (Part I; Exhibit B.) A court has inherent power to sanction conduct that abuses the judicial process and interferes with the court's core functions. *Eichelberger v. Eichelberger*, 582 S.W.2d 395, 398–99 (Tex. 1979); *In re Bennett*, 960 S.W.2d 35, 40 (Tex. 1997). Garcia asks the Court to order Ms. Filfil to appear and show cause why she should not be sanctioned for using the Court's order as a one-way instrument, and to order that she communicate with Garcia only through counsel for the remainder of this case.

VI. PRAYER

Garcia respectfully asks the Court to: (a) hear this motion with his Motion to Dissolve at the earliest available time under Rule 680; (b) dissolve the Temporary Restraining Order signed September 24, 2026; (c) deny any extension of the TRO beyond October 8, 2026; (d) set Plaintiffs' Application for Temporary Injunction for hearing and deny it; (e) in the alternative, modify the TRO as requested in Part III of the Motion to Dissolve and order that any restraint on contact apply equally to Plaintiffs and their principal, Sophia Filfil; (f) release the \$1,000 bond to Garcia under Rule 684; (g) after notice and hearing, impose monetary sanctions on Plaintiffs and their counsel under Rule 13 and Chapter 10 and order Sophia Filfil to show cause; and (h) grant Garcia all other relief to which he is entitled.

Respectfully submitted,

/s/ Jonathan Garcia
JONATHAN GARCIA, pro se

[REDACTED]

Tel. [REDACTED]
Jon.garcia.a@gmail.com

DEFENDANT, COUNTER-PLAINTIFF, AND
THIRD-PARTY PLAINTIFF

CERTIFICATE OF CONFERENCE

I certify that on October 6, 2026, I emailed Connor J. Smith, counsel for Plaintiffs, at csmith@dorelaw.com, reporting Ms. Filfil's direct call, asking that Plaintiffs' principal communicate only through counsel, and asking whether Plaintiffs oppose dissolution of the TRO and denial of the temporary injunction. Counsel had not agreed to the relief requested before this motion was filed. This motion is opposed.

/s/ Jonathan Garcia
Jonathan Garcia

UNSWORN DECLARATION

My name is Jonathan Garcia, my [REDACTED]

[REDACTED]

stated in Part I of this motion are within my personal knowledge and are true and correct. On October 6, 2026, at 6:43 p.m. Eastern time, I received a call on my personal cell phone from the number saved in my phone for Sophia Filfil; I did not answer it and have not returned it. I have had no communication with Ms. Filfil since September 24, 2026. Exhibit A is a true and correct copy of my email exchange with Connor J. Smith on October 6, 2026. Exhibit B is a true and correct screenshot of my phone's call log taken on October 6, 2026, showing that call. Exhibit C is a true and correct copy of my email to Mr. Smith reporting the call, sent at 6:47 p.m. the same evening. I declare under penalty of perjury that the foregoing is true and correct. Tex. Civ. Prac. & Rem. Code § 132.001.

Executed in Orange County, State of Florida, on the 6th day of October, 2026.

/s/ Jonathan Garcia
Jonathan Garcia, Declarant

CERTIFICATE OF SERVICE

I certify that on the 6th day of October, 2026, a true and correct copy of this motion was served on all counsel of record through the electronic filing manager under Texas Rule of Civil

Procedure 21a, including Connor J. Smith, Doré Rothberg Law, P.C., [REDACTED],
Suite 700, [REDACTED], csmith@dorelaw.com.

/s/ Jonathan Garcia
Jonathan Garcia

INDEX OF EXHIBITS

Exhibit A — Email exchange between Garcia and Connor J. Smith, October 6, 2026, 6:19 p.m., 6:24 p.m., and 6:32 p.m.

Exhibit B — Screenshot of Garcia's phone call log, October 6, 2026, 6:43 p.m.: carrier-verified missed call from Sophia Filfil

Exhibit C — Garcia's email to Connor J. Smith reporting the call, October 6, 2026, 6:47 p.m.

EXHIBIT A

Email exchange with Connor J. Smith — October 6, 2026, 6:19–6:32 p.m.

EXHIBIT A — Email exchange, October 6, 2026

Jonathan Garcia ↔ Connor J. Smith (Doré Rothberg Law), 6:19 p.m. – 6:32 p.m. Eastern. Source: Gmail account of Jonathan Garcia.

From: Jon Garcia <jon.garcia.a@gmail.com>
To: Connor Smith <csmith@dorelaw.com>
Date: Oct 6, 2026, 6:19 PM (ET)
Subject: RE: Cause No. 2026-70357 — Motion to Strike (opposed); conference on Nos. 39, 66, 68; discovery disclosure

Connor,

I oppose the Motion to Strike. My Motion to Disqualify (No. 38) does not ask you to produce privileged communications. It asks the Court to address the conflict in your firm representing Ms. Filfil, Damac, and the other entities together, and the handling of mail and notices directed to me. Whether your firm drafted the GO-M and JV documents is a fact, not a privileged communication, and it goes to the conflict itself. If you believe a specific sentence quotes a privileged communication, identify it and I will consider it, but I will not agree to strike the motion or its grounds.

So the Certificates of Conference are accurate, please let me know whether your clients oppose:

- No. 39 — Motion to Dissolve or Modify the TRO;
- No. 66 — Application for TRO and Temporary Injunction; and
- No. 68 — Application for TRO (Sofi Lakes funds).

For transparency, I am disclosing now that my discovery will include document requests and deposition notices to Ms. Filfil's parents and to her daughter, as fact witnesses to the matters in my counterclaim. I am telling you this up front so there is no surprise and so you can let me know whether you will accept service of notices for any of them.

I am available by phone or Zoom tomorrow to confer on any of the above.

Jonathan Garcia, pro se

[REDACTED]

Jon.garcia.a@gmail.com

From: Connor Smith <CSmith@dorelaw.com>
To: Jon Garcia <jon.garcia.a@gmail.com>; cc: cschade@dorelaw.com
Date: Oct 6, 2026, 6:24 PM (ET)
Subject: RE: Cause No. 2026-70357 — Motion to Strike (opposed); conference on Nos. 39, 66, 68; discovery disclosure

What is your basis for deposing Ms. Filfil's family?

Sincerely,

Connor J. Smith | Senior Associate | Doré Rothberg Law, P.C.

Houston address | [REDACTED], Suite 700 | Houston, Texas | 77084

Fort Worth address | [REDACTED] | Ft. Worth, Texas | 76116

Main: [REDACTED] | Direct: [REDACTED] | Fax: [REDACTED]

csmith@dorelaw.com | www.dorelaw.com

From: Jon Garcia <jon.garcia.a@gmail.com>

To: Connor Smith <csmith@dorelaw.com>

Date: Oct 6, 2026, 6:32 PM (ET)

Subject: RE: Cause No. 2026-70357 — Motion to Strike (opposed); conference on Nos. 39, 66, 68; discovery disclosure

Connor,

They are fact witnesses. Your clients' pleadings and your client's sworn statements say I never had any equity or position in Sofi Lakes and was never anything more than a contractor. Ms. Filfil's parents and her daughter were present, repeatedly and over a period of years, when I stayed at Ms. Filfil's home and when Ms. Filfil and I discussed my interest and equity in Sofi Lakes and the work I was doing on the project. They saw me working on Sofi Lakes from that house. They can testify to what Ms. Filfil said about my role and ownership in front of them, and to what they observed. That goes directly to the central disputed fact in this case.

In addition:

- Martin Filfil is a named third-party defendant (Zaza Landscape) and a payee of Sofi Lakes funds, so his deposition is party discovery, not family discovery.
- To the extent any family member is a beneficiary of The Beneficial Trust or has an ownership, funding, or signatory role in any Sofi Lakes entity, that is also relevant to the declaratory relief I requested.

Under Rule 192.3 I am entitled to discovery from any person with knowledge of relevant facts, and under Rule 199 any person may be deposed. I disclosed this early as a courtesy so there would be no claim of surprise or harassment. Because the TRO restricts my contact with Ms. Filfil, I will route all notices through counsel. Please tell me whether you represent her parents and daughter and will accept service of deposition notices and subpoenas for them; if not, I will serve them by subpoena.

I still need your clients' position on Nos. 39, 66, and 68 for the Certificates of Conference.

Jonathan Garcia, pro se

[REDACTED]

Jon.garcia.a@gmail.com

EXHIBIT B

Call log screenshot — missed call from Sophia Filfil, October 6, 2026, 6:43 p.m.

EXHIBIT B — Call log screenshot, October 6, 2026, 6:43 p.m.

iPhone contact card and call log of Jonathan Garcia: carrier-verified missed call from “Sophia Filfil,” mobile [REDACTED] Screenshot taken October 6, 2026. Contact photo blurred (minor child).

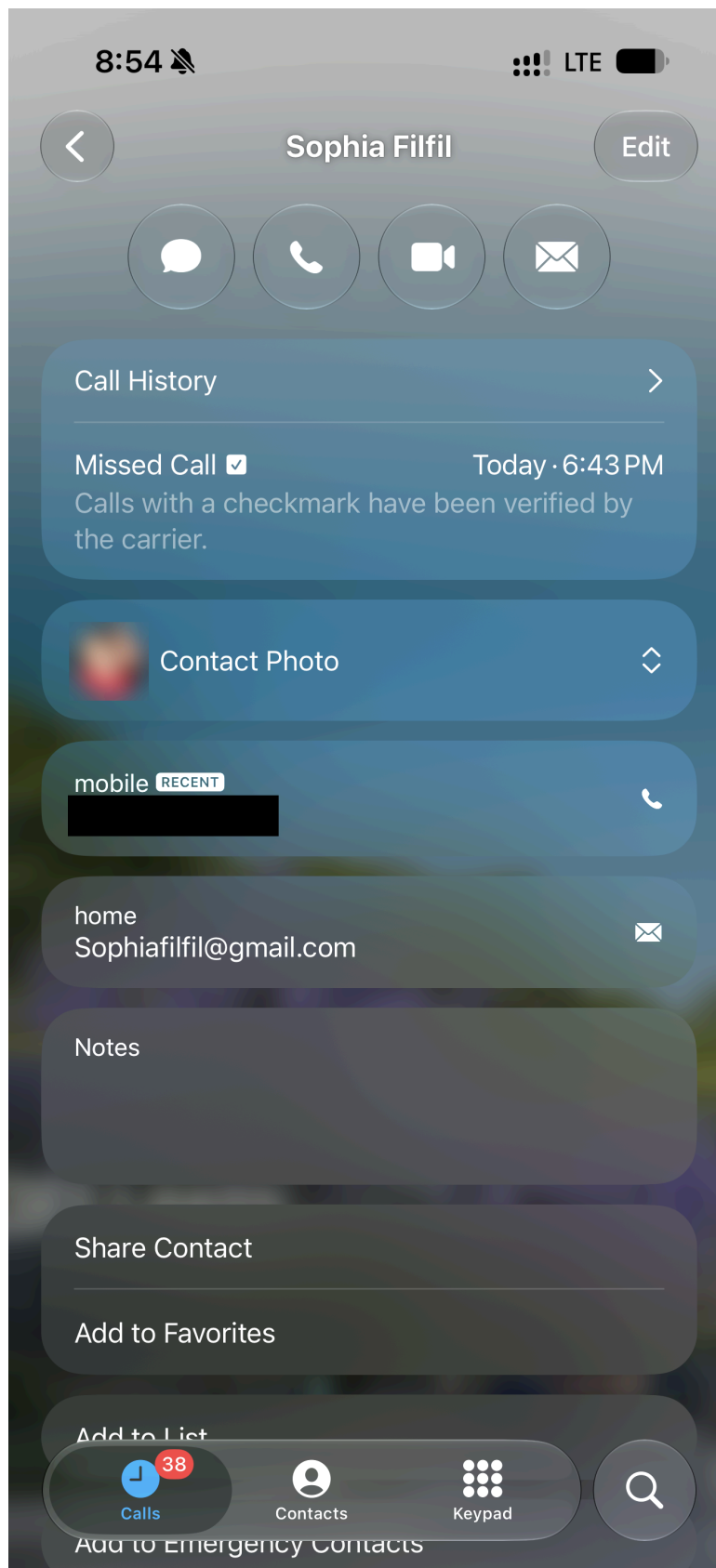


EXHIBIT C

Email to Connor J. Smith reporting the call — October 6, 2026, 6:47 p.m.

EXHIBIT C — Garcia's email reporting the call, October 6, 2026, 6:47 p.m.

Jonathan Garcia → Connor J. Smith (Doré Rothberg Law). Source: Gmail account of Jonathan Garcia (Sent).

From: Jon Garcia <jon.garcia.a@gmail.com>
To: Connor Smith <csmith@dorelaw.com>
Date: Oct 6, 2026, 6:47 PM (ET)
Subject: Cause No. 2026-70357 — Ms. Filfil called me directly today at 6:43 PM

Connor,

At 6:43 PM today, Ms. Filfil called my cell phone directly from her personal number. I did not answer and I will not return the call. The call shows as carrier-verified in my phone log, and I have preserved a screenshot (attached).

Your client obtained a TRO against me on the stated ground that she needs protection from contact with me. She cannot ask the Court for a no-contact order and then call me herself. Please instruct your client, in writing, that all communication with me is to go through counsel only. I will treat this direct call, text, or message from her as evidence on my Motion to Dissolve or Modify the TRO (No. 39) and at the temporary-injunction hearing.

If there was something she needed to tell me, please relay it by email.

Jonathan Garcia, pro se



Jon.garcia.a@gmail.com

[Attachment: Image.png — screenshot of call log, reproduced as Exhibit B]