

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Barroca v. Hayward Area Recreation and Parks District

Barroca · No. 25-cv-00440-EMC (EMC) · Decided September 19, 2025

SUMMARY

The United States District Court for the Northern District of California denied Robert Barroca’s motion for a temporary restraining order and preliminary injunction against the Hayward Area Recreation and Parks District. The court held that Barroca had not shown likely irreparable harm or a likelihood of success on his retaliation claim, including because he offered only speculation that the District was involved in the alleged conduct.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Edward M. Chen
JURISDICTION	United States District Court for the Northern District of California
DECIDED	September 19, 2025
DOCKET	25-cv-00440-EMC (EMC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for a temporary restraining order and preliminary injunction based on alleged retaliation by the Hayward Area Recreation and Parks District.
STANDARD OF REVIEW	A movant seeking a temporary restraining order or preliminary injunction must establish that he is likely to succeed on the merits, is likely to suffer irreparable harm absent preliminary relief, the balance of equities favors relief, and an injunction is in the public interest.
PRECEDENTIAL VALUE	unknown
PARTIES	Robert Barroca, et al. v. Hayward Area Recreation and Parks District, et al.

TOPICS

- injunctions
- equitable relief
- civil rights
- civil procedure

PRACTICE AREAS

civil rights

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether Barroca demonstrated a likelihood of irreparable harm sufficient to obtain a temporary restraining order or preliminary injunction.
2. Whether Barroca demonstrated a likelihood of success on the merits of his retaliation claim against the Hayward Area Recreation and Parks District.
3. Whether Barroca was entitled to a temporary restraining order or preliminary injunction.

HOLDINGS

1. Barroca failed to demonstrate a likelihood of irreparable harm because he did not allege a restriction or ban on his visits that was likely to occur, and he did not sufficiently show irreparable harm to himself from the blocked cat passage.
2. Barroca failed to demonstrate a likelihood of success on his retaliation claim because he offered only speculation that the person who contacted the property manager was affiliated with the District, while the District submitted contrary sworn evidence.
3. Barroca was not entitled to a temporary restraining order or preliminary injunction.

KEY QUOTATIONS

“To obtain a temporary restraining order or a preliminary injunction, the movant must establish that he (1) “is likely to succeed on the merits”; (2) “is likely to suffer irreparable harm in the absence of preliminary relief”; (3) “the balance of equities tips in his favor”; and (4) “an injunction is in the public interest.”” (1)

“The Court therefore DENIES Plaintiffs motion for a TRO and preliminary injunction.” (2)

FACTUAL BACKGROUND

Barroca alleged that the Hayward Area Recreation and Parks District retaliated against him by attempting to persuade the manager of his girlfriend's property to ban him from visiting and by blocking a hole used by his cats to travel between the property and an adjacent park. He asserted that the blocked hole exposed his cats to dog attacks and deprived them of their only means of escape, although his motion acknowledged that the cats had multiple routes into and out of the park. The District submitted a sworn declaration stating that no member of its Public Safety office had spoken with the property manager.

PROCEDURAL HISTORY

Barroca filed a motion for a temporary restraining order and preliminary injunction. The Hayward Area Recreation and Parks District opposed the motion, submitting a declaration from its Public Safety Manager. The court denied both forms of preliminary relief.

DISPOSITION

CASES CITED

- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20 (2008)

OPINION

Barroca v. Hayward Area Recreation And Parks District

PER CURIAM.

1 2 3

4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 ROBERT BARROCA, et al., Case No. 25-cv-00440-EMC (EMC) 8 Plaintiffs,

ORDER DENYING MOTION FOR TRO

9 v. AND PRELIMINARY INJUNCTION

10 HAYWARD AREA RECREATION AND

PARKS DISTRICT, et al., Docket No. 78 11 Defendants. 12 13 14 Before the Court is Plaintiff Robert Barroca's Motion for Temporary Restraining Order 15 and Preliminary Injunction. Dkt. No. 78. Barroca alleges that Defendant Hayward Area 16 Recreation and Parks District ("HARD") has retaliated against him by (1) contacting the property 17 manager of Plaintiff's girlfriend and attempting to persuade him to ban Barroca from visiting her 18 house ("the Hayward Property") and (2) blocking a hole used by Plaintiff's cats to travel between 19 the Hayward Property and the adjacent Meek Park. He seeks a TRO and preliminary injunction to 20 prevent this and further retaliation. Defendant HARD filed an opposition on September 19. Dkt.

21 No. 84.

22 To obtain a temporary restraining order or a preliminary injunction, the movant must 23 establish that he (1) "is likely to succeed on the merits"; (2) "is likely to suffer irreparable harm in 24 the absence of preliminary relief"; (3) "the balance of equities tips in his favor"; and (4) "an 25 injunction is in the public interest." Winter v. Natural Res. Defense Council, Inc., 555 U.S. 7, 20 26 (2008). 27 Here, Barroca has not shown a likelihood of irreparable harm. Barroca does not allege that 1 restriction or ban on his visits to the Hayward Property, or any likelihood that this will occur in the 2 || future. Regarding the blocked cat-hole, Barroca also does not point to any irreparable harm to 3 himself. To the extent he alleges that harm to his pet cats constitutes irreparable harm to himself, 4 || the showing of irreparable harm is also insufficient. While Barroca alleges that his cats are at risk 5 of dog attacks in the park, and that blocking the hole deprives them of their only means of escape, 6 || Barroca's motion also mentions that there are multiple routes by which the cats may enter and 7 leave the park, and only the hole leading to the Hayward Property has been blocked. Dkt. No. 78 8 || at 3-4. 9 Further, Plaintiff cannot show a likelihood of

success on the merits at this time. Plaintiff 10 || has only offered speculation that the individual who spoke to the Hayward Property manager was 11 affiliated with HARD. In its TRO opposition, HARD has offered a sworn declaration from 12 || HARD's Public Safety Manager that nobody from HARD's Public Safety office has spoken with 13 the property manager, based on individual conversations with each of his employees. Dkt. No. 84- 14 1. At this stage, Plaintiff has not made a sufficient showing that HARD was involved with the 3 15 || incident, let alone that he could succeed on the merits of a retaliation claim against HARD. a 16 The Court therefore DENIES Plaintiffs motion for a TRO and preliminary injunction. 19 IT IS SO ORDERED. 20 21 Dated: September 19, 2025. 22 23

EDWAR . CHEN

24 United States District Judge 25 26 27 28