

**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

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