

DISTRICT COURT OF THE VIRGIN ISLANDS, DIVISION OF ST. THOMAS
AND ST. JOHN

Dr. Steven Walker, individually and as Personal Representative of the
Estate of Diane Mawson Walker a/k/a Olga Diane Mawson Walker
and Trustee of the Diane M. Walker and Ronald R. Walker
Revocable Family Trust dated May 27, 2009, as amended and
restated November 12, 2024 v. Marlene Carney, individually and as
Successor Trustee of the MADIAL 1980 Trust

Walker v. Carney · No. 3:25-cv-0031 · Decided February 25, 2026

SUMMARY

The District Court of the Virgin Islands denies Plaintiff Dr. Steven Walker’s motion for a temporary restraining order seeking to freeze all assets of the MADIAL 1980 Trust. The Court concludes that the alleged depletion or disbursement of trust assets constitutes an economic injury and that Plaintiff failed to demonstrate immediate and irreparable harm.

CASE DETAILS

COURT	District Court of the Virgin Islands, Division of St. Thomas and St. John
WRITING FOR THE COURT	Robert A. Molloy
JURISDICTION	District Court of the Virgin Islands, Division of St. Thomas and St. John
DECIDED	February 25, 2026
DOCKET	3:25-cv-0031
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiff moved for an urgent temporary restraining order freezing all assets of the MADIAL 1980 Trust. Defendant opposed the motion, and plaintiff filed a reply. The court denied the temporary restraining order and separately denied defendant's motion for leave to file a sur-reply.
STANDARD OF REVIEW	A temporary restraining order requires the plaintiff to establish a likelihood of success on the merits, a likelihood of irreparable harm, that the balance of equities favors relief, and that relief is in the public

interest. The standard for issuing a temporary restraining order and a preliminary injunction is the same, and failure to establish any one factor renders the requested relief inappropriate.

PRECEDENTIAL VALUE

Unknown

PARTIES

Dr. Steven Walker v. Marlene Carney

TOPICS

injunctions

trusts

trustee duties

equitable relief

civil procedure

PRACTICE AREAS

civil procedure

trusts

remedies

injunctive relief

QUESTIONS PRESENTED

1. Whether plaintiff established the irreparable-harm element required for issuance of a temporary restraining order freezing the MADIAL 1980 Trust's assets.
2. Whether plaintiff's alleged economic injury from the disbursement or potential depletion of trust assets constituted irreparable harm warranting temporary injunctive relief.

HOLDINGS

1. Plaintiff failed to demonstrate immediate and irreparable injury absent entry of a restraining order; therefore, the request for a temporary restraining order was denied.
2. A plaintiff seeking a temporary restraining order must establish all four preliminary-injunction factors: likelihood of success on the merits, likelihood of irreparable harm, balance of equities in the plaintiff's favor, and the public interest.

KEY QUOTATIONS

“In general, to show irreparable harm a plaintiff must ‘demonstrate potential harm which cannot be redressed by a legal or an equitable remedy following a trial.’” (2)

“Applying the standard applicable in this judicial circuit, the Court finds that Plaintiff has failed to demonstrate immediate and irreparable injury absent the entry of a restraining order.” (3)

FACTUAL BACKGROUND

Plaintiff alleged that he was a beneficiary of the MADIAL 1980 Trust and that defendant, its successor trustee, refused to provide an accounting or answer questions about a \$750,000 distribution to herself and Alana Mawson. Plaintiff also alleged that defendant planned to transfer control of the trust's assets to an unregistered, unlicensed British Virgin Islands company. The alleged harm consisted of the disbursement or depletion of trust assets, and plaintiff sought to freeze those assets.

PROCEDURAL HISTORY

Plaintiff alleged that defendant, the successor trustee of the MADIAL 1980 Trust, breached fiduciary duties by disbursing \$750,000 from the trust and by planning to transfer control of trust assets to a British Virgin Islands entity. Plaintiff sought an order freezing all trust assets. After briefing, the court concluded that plaintiff failed to demonstrate immediate and irreparable injury and denied the requested temporary restraining order.

DISPOSITION

denied

CASES CITED

- Osorio-Martinez v. Attorney General, 893 F.3d 153, 178 (3d Cir. 2018)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20 (2008)
- Acierno v. New Castle County, 40 F.3d 645, 653 (3d Cir. 1994)
- Instant Air Freight Co. v. C.F. Air Freight, Inc., 882 F.2d 797, 801 (3d Cir. 1989)
- Sampson v. Murray, 415 U.S. 61, 90 (1974)
- Birsingh, 2026 U.S. Dist. LEXIS 17183, at *5-6
- Frank's GMC Truck Ctr. v. General Motors Corp., 847 F.2d 100, 102 (3d Cir. 1988)
- A. O. Smith Corp. v. FTC, 530 F.2d 515, 525 (3d Cir. 1976)
- Campbell Soup Co. v. ConAgra, Inc., 977 F.2d 86, 91-92 (3d Cir. 1992)
- ECRI v. McGraw-Hill, Inc., 809 F.2d 223, 226 (3d Cir. 1987)
- Keene v. Cheeks, Civ. No. 25-7375 (SDW) (LDW), 2026 U.S. Dist. LEXIS 13949, at *8 (D.N.J. Jan. 26, 2026)
- Mirashi v. Doe, No. 25-1805, 2025 U.S. Dist. LEXIS 54141, 2025 WL 893003, at *3 (D.N.J. Mar. 21, 2025)
- Reilly v. City of Harrisburg, 858 F.3d 173, 176 (3d Cir. 2017)
- Nutrasweet Co. v. Vit-Mar Enterprises, Inc., 176 F.3d 151, 153 (3d Cir. 1999)