

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION

OLD REPUBLIC NATIONAL TITLE  
INSURANCE COMPANY

PLAINTIFF

VS.

CASE NO. 3:09-CV-00102-BSM

GREENE COUNTY ABSTRACT & TITLE  
COMPANY, LLC, MARY WILLIAMS,  
individually, BLAKE WILLIAMS, individually,  
BLAMAR INVESTMENTS, LLC, and  
WILLIAMS IRRIGATION SERVICES, LLC

DEFENDANTS

**ORDER**

Before the court is the motion of Old Republic National Title Insurance Company ("National Title") for a temporary restraining order (TRO). The motion [Doc. No. 13] is denied.

A TRO was entered enjoining defendants Greene County Abstract & Title Company and Mary Williams from taking certain actions. On July 17, 2009, the court entered a preliminary injunction and extended the relief to non parties Blake Williams, Williams Irrigation Services, LLC, and Blamar Investments, LLC. National Title filed an amended complaint on July 23, 2009, adding Blake Williams, Williams Irrigation Services and Blamar Investments as defendants. According to the allegations in the amended complaint, National Title claims that Mary Williams and Greene County Abstract made unauthorized disbursements to Blake Williams, Williams Irrigation Services, and Blamar Investments.

National Title's claims against the new defendants are limited to conversion, unjust

enrichment, and civil conspiracy. National Title seeks damages and asks that all defendants account for funds in their possession.

A TRO may be granted only if the moving party can demonstrate: (1) a likelihood of success on the merits; (2) that the movant will suffer irreparable harm absent the restraining order; (3) that the balance of harms favors the movant; and (4) that the public interest favors the movant. *Dataphase Sys., Inc. v. C L Sys., Inc.*, 640 F.2d 109, 113 (8th Cir.1981). National Title has not demonstrated that it will suffer irreparable harm if a TRO is not issued against the new defendants. The nature of the claims against the new defendants are such that the court finds that the TRO is not appropriate.

Accordingly, the motion for a TRO [Doc. No. 13] is denied.

IT SO ORDERED this 24th day of July, 2009.



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BRIAN S. MILLER  
UNITED STATES DISTRICT JUDGE