

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV11-9790-GHK (JC) Date 11/28/11
Title Geneva Reese, et al. V. City of Los Angeles, et al.

Present: The Honorable GEORGE H. KING

Bob Bolton

not present

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Summer Reese, pro se (not present)

not present

Proceedings: PLAINTIFFS' REQUEST FOR INJUNCTIVE AND DECLARATORY
RELIEF

This matter is before us on Plaintiffs' request for a temporary restraining order (TRO) pursuant to their Complaint for injunctive and declarative relief. There is no application for TRO separate and apart from the Complaint. Plaintiffs seek to enjoin their potential removal from City Hall Park (Park). We have considered the Complaint.

Plaintiffs have made no showing that they have notified Defendants of this application, or that Defendants were served with the Complaint. Yet, Plaintiffs must have known of this perceived need for injunctive relief at least two days ago when the Complaint was prepared and dated. Nor have Plaintiffs shown that Defendants intend, or have threatened, to take action to remove them from the Park such that providing Defendants with notice of this request would effectively frustrate the purpose of the injunctive relief sought. The adversarial process is ill-served when courts are asked to react without providing Defendants with a fair opportunity to be heard. Because Plaintiffs have failed to make the required showing under both the Federal and Local Rules with respect to an application for a TRO without notice to Defendants, this application is DENIED.

IT IS SO ORDERED.

Initials of Preparer - bb

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