

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF CALIFORNIA

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4 **MORGAN STANLEY & CO., LLC, AND
MORGAN STANLEY SMITH BARNEY, LLC,**

1:15-cv-1291-LJO-JLT

ORDER TO SHOW CAUSE

5 **Plaintiffs,**

6 **v.**

7 **DAVID COUCH,**

8 **Defendant.**

9
10 On August 11, 2016, the Ninth Circuit affirmed this Court's order preliminarily enjoining
11 Defendant David Couch from pursuing his claims in arbitration before the Financial Industry Regulatory
12 Authority ("FINRA"). Doc. 36. The Ninth Circuit's mandate entered on September 6, 2016. Doc. 37.

13 After the Court entered its preliminary injunction, Plaintiffs Morgan Stanley & Co., LLC, and
14 Morgan Stanley Smith Barney, LLC (collectively, "Morgan Stanley"), moved for summary judgment,
15 arguing that Couch's FINRA arbitration proceedings should be enjoined permanently. Doc. 30-1.

16 Couch is ORDERED to show cause why the Court should not now permanently restrain and
17 enjoin him from pursuing his FINRA arbitration claims. Couch's response to this order shall be filed on
18 or before October 7, 2016. Morgan Stanley may file an optional response within fourteen days of
19 Couch's filing his response.

20 The Clerk of Court is directed to lift the stay on this case.

21 IT IS SO ORDERED.

22 Dated: September 21, 2016

/s/ Lawrence J. O'Neill
23 UNITED STATES CHIEF DISTRICT JUDGE