

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

**TEMPORARY RESTRAINING ORDER
(TRO)
CHECKLIST**

NOTE: When filing a Motion for a TRO with the court, you must choose Motion for TRO. You must complete this document and attach it to your motion as an attachment in CM/ECF. If you have questions, please call the CM/ECF Help Desk at 1-866-884-5525 (Sacramento) or 1-866-884-5444 (Fresno).

(A) *Check one.* Filing party is represented by counsel

Filing party is acting in pro se

(B) Has there been actual notice, or a sufficient showing of efforts to provide notice to the affected party?
See Local Rule 65-231 and FRCP 65(b).

Did applicant discuss alternatives to a TRO hearing?

Did applicant ask opponent to stipulate to a TRO?

Opposing Party:

Telephone No.:

(C) Has there been undue delay in bringing a TRO?

Could this have been brought earlier?

Yes: No:

(D) What is the irreparable injury?

Why the need for an expedited hearing?

(E) Documents to be filed and (unless impossible) served on affected parties/counsel:

- (1) Complaint
- (2) Motion for TRO
- (3) Brief on all legal issues presented by the motion
- (4) Affidavit detailing notice, or efforts to effect notice, or showing why it should not be given
- (5) Affidavit in support of existence of irreparable harm
- (6) Proposed order with provision for bond
- (7) Proposed order with blanks for fixing:
 - Time and date of hearing for motion for preliminary injunction
 - Date for filing responsive papers
 - Amount of bond, if any
 - Date and hour of issuance
- (8) For TROs requested *ex parte*, proposed order shall notify affected parties then can apply to the court for modification/dissolution on 2 days notice or such shorter notice as the court may allow. See *Local Rule 65-231 and FRCP 65(b)*