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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LEVI STRAUSS & CO.,
Plaintiff,
v.
AQUA DYNAMICS SYSTEMS, INC.,
Defendant.

Case No. 15-cv-04718-WHO

**ORDER DENYING MOTION FOR A
TEMPORARY RESTRAINING ORDER
AND SETTING HEARING FOR
MOTION FOR PRELIMINARY
INJUNCTION**

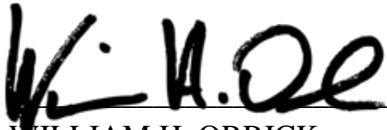
Re: Dkt. No. 26

Plaintiff's ill-timed motion for a temporary restraining order is DENIED. It waived any claim of emergency: the arbitration it seeks to stop was demanded on September 15, 2015, was commenced by JAMS on December 23, 2015, and had arbitrators selected by January 22, 2016, yet plaintiff waited until the afternoon of February 12, 2016 to seek a TRO. Nor is any emergency apparent. The motion mentions no impending hearing date. The only apparent threatened damage is that JAMS wants payment for the arbitrators; money damages do not constitute irreparable injury.

The motion will be treated as a motion for a preliminary injunction and will be heard on March 30, 2016, along with defendant's motion to dismiss. Defendant may file an opposition on March 2, 2016, and plaintiff may reply on March 9, 2016.

IT IS SO ORDERED.

Dated: February 16, 2016



WILLIAM H. ORRICK
United States District Judge