

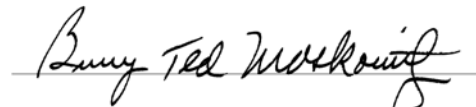


1 Injunctive relief is an extraordinary remedy that may only be awarded upon a clear  
2 showing that the plaintiff is entitled to such relief. Winter v. Natural Res. Def. Council, Inc.,  
3 \_\_ U.S. \_\_, 129 S. Ct. 365, 375-76 (2008). A plaintiff seeking preliminary injunctive relief  
4 “must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable  
5 harm in the absence of preliminary relief, that the balance of equities tips in his favor, and  
6 that an injunction is in the public interest.” Id.

7 Because Plaintiff has not presented evidence supporting his claim, Plaintiff has failed  
8 to establish that he is likely to succeed on the merits of his claim. Therefore, the Court  
9 **DENIES** Plaintiff’s request for a TRO without prejudice. If Plaintiff can present evidence that  
10 he was unlawfully suspended and that Defendant is attempting to collect for overpayment  
11 of wages in connection with the suspension, Plaintiff may file a new request for a TRO  
12 accompanied by the relevant documents, affidavits, and/or other evidence.

13 **IT IS SO ORDERED.**

14 DATED: August 23, 2010

15   
16 Honorable Barry Ted Moskowitz  
17 United States District Judge  
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