

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 07-cv-01772-REB-KLM

MERITAIN HEALTH, INC., a New York corporation,

Plaintiff,

vs.

DAVID McFERRIN, an individual, and
REGIONAL CARE, INC., a Nebraska corporation,

Defendants.

ORDER FOR RESPONSE AND HEARING

Blackburn, J.

This matter is before me on **Meritain Health, Inc.'s Motion for a Temporary Restraining Order and Preliminary Injunction** [#3], filed August 22, 2007. I conclude that responses from the defendants are necessary, and that a hearing on this motion may be necessary. A hearing should be tentatively scheduled for **Friday, August 31, 2007, at 3:00 p.m. (MDT)**.

THEREFORE IT IS ORDERED as follows:

1. That defendant shall have until **12:00 pm. (noon) (MDT) on Wednesday, August 29, 2007**, to file a response to **Meritain Health, Inc.'s Motion for a Temporary Restraining Order and Preliminary Injunction** [#3], filed August 22, 2007;
2. That based on the parties' papers, the court may rule on the papers, conduct an evidentiary hearing, or entertain oral argument;

3. That absent an earlier written ruling, the court **SHALL HEAR AND CONSIDER** that portion of **Meritain Health, Inc.'s Motion for a Temporary Restraining Order and Preliminary Injunction** [#3], filed August 22, 2007, which requests entry of a temporary restraining order, on **Friday, August 31, 2007, at 3:00 p.m. (MDT)**, in Courtroom A-701, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado 80294;

4. That the plaintiff **SHALL SERVE** the defendants or their counsel as soon as possible with copies of A) the complaint filed in this action [#1]; B) the Affidavit of Richard Bukovinsky [#2]; C) the plaintiff's motion for temporary restraining order and preliminary injunction [#3]; and D) this order; and

5. That delivery of copies of these documents to the defendants or their counsel by fax or e-mail shall be considered to be sufficiently prompt;

Dated at Denver, Colorado, August 23, 2007.

BY THE COURT:

s/ Robert E. Blackburn
Robert E. Blackburn
United States District Judge