

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Zita Leeson Weinshienk

Civil Action No. 11-cv-00186-ZLW

GALEN ANDERSON and
FRANCES M. SCOTT,

Plaintiffs,

v.

AMERICAN MORTGAGE NETWORK, INC. and
CHASE HOME FINANCE LLC,

Defendants.

ORDER

The matter before the Court is Plaintiffs' Petition For Restraining Order (Doc. No. 1). Plaintiffs request a temporary restraining order preventing Defendants from selling Plaintiffs' property.

Pursuant to D.C.COLO.LCivR 65.1A.2., the Court "will not consider an ex parte motion for temporary restraining order" except in accordance with Fed. R. Civ. P. 65(b). Fed. R. Civ. P. 65(b)(1)(B) requires the Plaintiffs to certify "any efforts made to give notice and the reasons why it should not be required." Plaintiffs admit they made no attempt to provide notice to Defendants, and explain this lack of notice by making the conclusory statement that they will suffer immediate and irreparable injury, loss, or damage.¹ Reproducing verbatim the standard for granting a temporary restraining order

¹Mem. In Supp. Of Pet. For Restraining Order (Doc. No. 2; Jan. 25, 2011), at 3.

is insufficient reasoning as it provides no insight as to why notice is not necessary in this particular case. Accordingly, it is

ORDERED that Plaintiffs' request for a temporary restraining order is denied.

DATED at Denver, Colorado, this 3rd day of February, 2011.

BY THE COURT:

A handwritten signature in blue ink that reads "Zita Leeson Weinsienk". The signature is written in a cursive style with a horizontal line underneath it.

ZITA LEESON WEINSHIENK, Senior Judge
United States District Court