

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

GULF RESTORATION NETWORK,
ET AL.

CIVIL ACTION

VERSUS

NO: 15-6193

U.S. ARMY CORPS OF ENGINEERS,
ET AL.

SECTION: R(2)

ORDER AND REASONS

On November 20, 2015, plaintiffs Gulf Restoration Network, Margie Vickanir-Pray, and Pippin Frisbie-Calder filed this action seeking to enjoin defendants U.S. Army Corps of Engineers, Lt. General Thomas P. Bostick, Colonel Richard L. Hansen, and Secretary of the Army Eric K. Fanning (collectively, “the Corps”) from issuing a dredging permit to Maurepas Pipeline LLC.¹ Plaintiffs now move the Court to issue a temporary restraining order enjoining the Corps from continuing “its permitting process for the Maurepas Pipeline, LLC application for a Department of Army permit . . . because its statutorily required public notice is deficient and illegal.”²

To obtain a temporary restraining order, the moving party must show: (1) there is a substantial likelihood that the movant will prevail on the merits; (2) there is a substantial threat that the movant will suffer irreparable harm if the court denies the injunctive relief; (3) the threatened injury to the movant

¹ R. Doc. 1.

² R. Doc. 2 at 2.

outweighs the threatened harm to the defendant; and (4) the court’s granting injunctive relief will not disserve the public interest. *Clark v. Prichard*, 812 F.2d 991, 993 (5th Cir. 1987). A court may issue a temporary restraining order without notice only if “specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition.” Fed. R. Civ. P. 65(b)(1)(A).

The Court DENIES plaintiffs’ motion for a temporary restraining order because plaintiffs’ claims are not ripe for adjudication. *See Texas v. United States*, 523 U.S. 296 (1998); *Abbott Labs. v. Gardner*, 387 U.S. 136 (1967); *Monk v. Houston*, 340 F.3d 279 (5th Cir. 2003).

New Orleans, Louisiana, this 23rd day of November, 2015.



SARAH S. VANCE
UNITED STATES DISTRICT JUDGE