

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

PREMIER RIDES, INC.	*
Plaintiff	*
vs.	* CIVIL ACTION NO. MJG-17-3443
MARK STEPANIAN	*
Defendant	*
* * * * *	* * * * *

MEMORANDUM AND ORDER

The Court has before it Plaintiff's Request for Temporary Restraining Order [ECF No. 3] and the materials submitted relating thereto. The Court finds that a hearing is unnecessary at this time.

Plaintiff seeks a Temporary Restraining Order to prevent a former employee, Defendant Mark Stepanian from violating the restrictive covenant in his employment agreement. Defendant Stepanian has filed the Declaration of Mark Stepanian [ECF No. 4] stating that his current employer is not in competition with Plaintiff and that he has not used any confidential information of Plaintiff or otherwise violated his employment agreement. He states that a Temporary Restraining Order would cause him unjustified harm.

If the Defendant's position is correct, he may not have

violated his employment agreement, and the issuance of a Temporary Restraining Order would be wrong and harmful to him. On the other hand, should Defendant's position not be correct, Plaintiff may have a valid claim for injunctive relief.

Under the circumstances, the Court finds it inappropriate to grant the request for a Temporary Restraining Order on the current state of the record. It shall deny the request but provide Plaintiff the opportunity, upon consideration of Defendant's declaration, to seek to proceed expeditiously for prompt injunctive relief.

Accordingly:

1. Plaintiff's Request for Temporary Restraining Order [ECF No. 3] is DENIED WITHOUT PREJUDICE.
2. Plaintiff may request the Court to proceed promptly in regard to its request for injunctive relief, with such proceedings (including an evidentiary hearing) as may be necessary.
3. Upon receipt of such a request, the Court will confer with counsel and proceed appropriately.

SO ORDERED, this Tuesday, November 21, 2017.

/s/
Marvin J. Garbis
United States District Judge