

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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SECURITIES AND EXCHANGE COMMISSION,)
)
Plaintiff,)
)
v.)
	Case No. 1:15-cv-11447)
)
CAPITAL FINANCIAL PARTNERS, LLC,)
CAPITAL FINANCIAL HOLDINGS, LLC,)
CAPITAL FINANCIAL PARTNERS)
ENTERPRISES, LLC,)
WILLIAM D. ALLEN and)
SUSAN C. DAUB,)
)
Defendants,)
)
and)
)
WJBA INVESTMENTS, LLC,)
INSURANCE DEPOT OF AMERICA LLC,)
SIMPLIFIED HEALTH SOLUTIONS LLC and)
SIMPLIFIED HEALTH SOLUTIONS 2, LLC,)
)
Relief Defendants.)
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ORDER

April 9, 2015

Before the court is Plaintiff Securities and Exchange Commission’s Motion for Leave to Conduct Expedited Discovery and for an Extension of the Temporary Restraining Order or, in the Alternative, for a One-Day Postponement of the Hearing on its Motion for a Preliminary Injunction [#25]. In its motion, Plaintiff seeks (1) leave to conduct expedited discovery in advance of a hearing on its motion for a preliminary injunction, (2) a fourteen-day extension of the Temporary Restraining Order, Order Freezing Assets, and Order for Other Equitable Relief [#10] (“Temporary Restraining Order”), which currently expires on April 14, 2015, and (3) to

continue the hearing on the preliminary injunction scheduled for April 13, 2015. If the court denies these requests, Plaintiff seeks, in the alternative, a one-day postponement of the April 13, 2015 hearing because one of Plaintiff's attorneys, whose declaration is a central part of the evidentiary materials submitted in this case, will be returning from a family vacation on April 13.

Federal Rule of Civil Procedure 65(b) authorizes the court to issue an ex parte temporary restraining order that may remain in effect for up to fourteen days from the date the order is entered. Here, the court issued the Temporary Restraining Order at 7 p.m. on April 1, 2015. The court hereby extends the Temporary Restraining Order to remain in effect until April 15, 2015 at 7 p.m. In light of this extension, the court **ALLOWS** Plaintiff's request for a one-day postponement of the hearing on the preliminary injunction to accommodate Plaintiff's counsel's schedule. The motion hearing scheduled on April 13, 2015 at 2:30 p.m. is continued until April 14, 2015 at 9:30 a.m.

Rule 65(b) allows further extension of a temporary restraining order issued without notice for up to fourteen additional days "for good cause" or if the adverse party consents to a longer extension. Plaintiff has not shown sufficient cause to extend the Temporary Restraining Order issued without notice, and accordingly, the request for an additional fourteen day extension is **DENIED**.

Plaintiff's request for leave to conduct expedited discovery is **DENIED** to the extent that it seeks such discovery in advance of the April 14, 2015 hearing, and will otherwise be addressed after Defendants have had an opportunity to respond to the motion.

In accordance with this order, Plaintiff's Motion for Leave to Conduct Expedited Discovery and for an Extension of the Temporary Restraining Order or, in the Alternative, for a One-Day Postponement of the Hearing on its Motion for a Preliminary Injunction [#25] is

ALLOWED IN PART and DENIED IN PART.

IT IS SO ORDERED.

April 9, 2015

/s/ Indira Talwani
United States District Judge