

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MCGOUGH & ASSOCIATES,

Plaintiff,

v.

Case No. 07-CV-14978

CRYSTAL N. MILLER
and WDS INVESTIGATIONS, INC.,

Defendant.

**ORDER DENYING IN PART PLAINTIFF'S "MOTION FOR A TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION,"
DIRECTING PLAINTIFF TO SERVE DEFENDANTS
AND SETTING A PRELIMINARY INJUNCTION HEARING**

On November 21, 2007, Plaintiff filed its "Verified Complaint for Injunctive Relief," and a few days later, on November 26, 2007, Plaintiff filed a "Motion for a Temporary Restraining Order and Preliminary Injunction." The court has reviewed the November 26 motion and determined that the requirements for issuing a temporary restraining order without notice to the adverse party under Federal Rule of Civil Procedure 65(b) are not met in this case. Plaintiff's verified complaint fails to establish that "immediate and irreparable injury, loss, or damage will result . . . before the adverse party or that party's attorney can be heard in opposition." Fed. R. Civ. P. 65(b)(1). Accordingly,

IT IS ORDERED that Plaintiff's "Motion for a Temporary Restraining Order and Preliminary Injunction" [Dkt. # 3] is DENIED IN PART. Specifically, it is DENIED with respect to the request for a temporary restraining order.

IT IS FURTHER ORDERED that Plaintiff is DIRECTED to serve Defendants on or before **Friday, November 30, 2007 at 12:00 p.m.** with copies of the summons,

complaint, November 26 motion and this order.

The court will conduct a ++hearing on the request for a preliminary injunction on **Tuesday, December 4, 2007 at 9:00 a.m.** Party representatives with full settlement authority are required to appear.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 27, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 27, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522