

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

NBT ASSOCIATES, INC.,

Plaintiff,

v.

Case No. 10-14108

ALLEGIANCE INSURANCE AGENCY CCI,
INC., et al.,

Defendants.

**ORDER DENYING WITHOUT PREJUDICE MOTION FOR TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION AND SETTING
DEADLINE FOR PLAINTIFF TO FILE AMENDED COMPLAINT**

Plaintiff filed a complaint on October 13, 2010, in which it alleges Defendants are in breach of certain franchise and non-competition agreements between Plaintiff and Defendants. On October 20, 2010, Plaintiff filed a motion for a preliminary injunction and temporary restraining order. The court denied the motion as to a restraining order the next day. Defendants' counsel filed a notice of appearance on November 2, 2010, and Defendants filed a response to Plaintiff's motion on November 3, 2010. Plaintiff filed a reply on November 4, 2010, and the court held a hearing on Plaintiff's motion for a preliminary injunction on November 5, 2010.

At the hearing, Plaintiff's counsel acknowledged the motion was premature in light of certain jurisdictional questions that had been raised, and indicated Plaintiff desired to amend its complaint. Plaintiff stated it would file an amended complaint by November 15, 2010, and Defendants' counsel agreed to accept service on behalf of Defendants. Accordingly, and for the reasons stated on the record,

IT IS ORDERED that Plaintiff's "Motion for . . . Temporary Restraining Order . . . and for Preliminary Injunction" [Dkt. # 4] is DENIED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that Plaintiff is DIRECTED to file any amended complaint by **November 15, 2010**.

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

Dated: November 12, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 12, 2010, by electronic and/or ordinary mail.

s/Lisa G. Wagner
Case Manager and Deputy Clerk
(313) 234-5522