

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Nahal Tananim, LLC, and Nir Yitzhak, LLC,

Plaintiffs,

v.

Civil No. 12-1074 (JNE/JJG)
ORDERWilliam Egan, John Brandt, Nauni Manty,
Jeanette Myers-Rich, City of St. Paul,
St. Paul Pioneer Press, Journal Sentinel, Inc.,
and Villager Communications, Inc.,

Defendants.

This case is before the Court on Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction. The Court construes it as a motion for an ex parte temporary restraining order. A temporary restraining order may issue without notice to the adverse party only if (1) "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," and (2) "the movant's attorney certifies in writing any efforts made to give notice and the reasons why it should not be required." Fed. R. Civ. P. 65(b). Plaintiffs have not shown by affidavit or verified complaint that immediate and irreparable harm will result to them before Defendants can be heard in opposition, and Plaintiffs' attorney has not certified in writing what, if any, efforts have been made to give Defendants notice and the reasons why notice should not be required. Because Plaintiffs have not demonstrated that the extraordinary remedy of an ex parte temporary restraining order is warranted, the Court denies their motion [Docket No. 2].

IT IS SO ORDERED.

Dated: May 2, 2012

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge