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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

V'Guara, Inc.,

Plaintiff,

v.

Steve Dec, an individual; S& D Beverage, LLC,

Defendants.

Case No.: 2:13-cv-0076-JAD-NJK

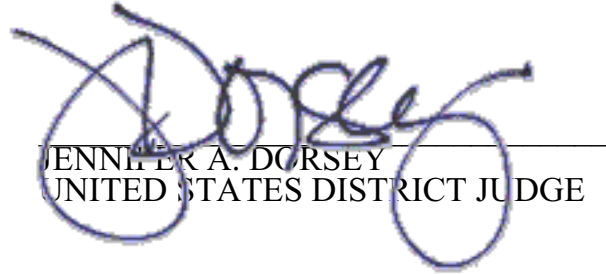
**Order Denying Motion for
Preliminary Injunction without
Prejudice
[Doc. 9]**

On January 25, 2013, Plaintiff V'Guara, Inc. filed a Motion for Temporary Restraining Order and Preliminary Injunction. Docs. 8, 9. District Court Judge Miranda Du granted the motion for temporary restraining order on February 15, 2013, Doc. 18, and the parties stipulated to extend the duration of the temporary restraining order until the court issues a merits ruling on the motion for preliminary injunction. Doc. 36. The parties further stipulated that the court could set the hearing on the motion for preliminary injunction (Doc. 9) "in its discretion." Doc. 36.

On August 18, 2014, the court held a scheduling conference to set the hearing on the motion for preliminary injunction. Doc. 9. The parties requested that the court first rule on the recently filed and not-yet-fully-briefed motion for summary judgment (Doc. 96) before setting the preliminary-injunction hearing. In light of this request, and because (1) the parties have stipulated to keep the temporary restraining order in effect until the court considers the merits of the motion for preliminary injunction and (2) the likelihood of the need to supplement the preliminary injunction briefing in light of case developments since the original filing of the motion, IT IS HEREBY

1 ORDERED that the motion for preliminary injunction (**Doc. 9**) is **DENIED without prejudice** to its
2 refiling after a decision on the motion for summary judgment (Doc. 96). This without-prejudice
3 denial is not intended, and shall not be construed, as the court's issuance of "a ruling on V'GUARA
4 INC's Motion for Preliminary Injunction" as that phrase is used in the stipulated extension of the
5 temporary restraining order (Doc. 36).

6 Dated: August 19, 2014.

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8 JENNIFER A. DORSEY
9 UNITED STATES DISTRICT JUDGE

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