Arey et al v. Bouari International Franchise, LLC et al Doc. 11

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

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| PARIS G. AREY, *et al.*,<br><br>Plaintiffs,<br><br>vs.<br><br>BOUARI INTERNATIONAL FRANCHISE, LLC, *et al.,*<br><br>Defendants. | Case No. 2:13-cv-01372-APG-GWF<br><br>**SEALED ORDER**<br><br>Ex Parte Motion for Service by Publication (#10) |

This matter comes before the Court on Plaintiffs' Ex Parte Motion for Service by Publication (#10), filed on October 24, 2013. An *ex parte* motion or application is one that is filed with the Court, but is not served upon the opposing or other parties. *See* Local Rule 7-5(a). All *ex parte* motions must contain a statement showing good cause why the matter was submitted to the Court without notice to all parties. *See* Local Rule 7-5(b). *Ex parte* and emergency motions are distinct. Motions may be submitted *ex parte* only for compelling reasons, and not for emergency motions. *See* Local Rule 7-5(b) Emergency motions must be so titled and must state the nature of the emergency. *See* Local Rule 7-5(d)(1)-(3). Certain defendants have entered appearances in this case, but Plaintiffs do not state within the instant *ex parte* Motion good cause why it was not served on all parties. Accordingly,

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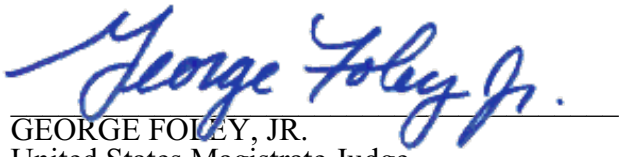
**IT IS HEREBY ORDERED** that Plaintiffs' Ex Parte Motion for Service by Publication (#10) is **denied** without prejudice. Plaintiffs are instructed to re-file the Motion either without *ex parte* designation, or with a statement of good cause.

DATED this 30th day of October, 2013.



GEORGE FOLEY, JR.
United States Magistrate Judge