

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 JONATHAN GOLDSMITH, ESQ., and )  
4 Individual, )  
5 )  
6 Plaintiff, )  
7 vs. )  
8 )  
9 INTERNAL REVENUE SERVICE, a )  
10 United States Governmental Entity; )  
11 JPMORGAN CHASE BANK, N.A., a )  
National Association; DOE individuals I- )  
X; and ROE corporations I-X, inclusive, )  
Defendant. )

Case No.: 2:14-cv-01297-GMN-NJK

**ORDER ON EMERGENCY  
APPLICATION FOR TEMPORARY  
RESTRAINING ORDER**

12 Pending before the Court is the Emergency Application for Temporary Restraining  
13 Order (ECF No. 6) filed by Plaintiff Jonathan Goldsmith, Esq. ("Plaintiff") on August 9,  
14 2014 seeking injunctive relief against Defendant JPMorgan Chase Bank, N.A. ("Chase").

15 However, in the Application, which was filed without notice to the Defendants,  
16 Plaintiff admits that Chase has stated that it may undertake the actions sought to be  
17 enjoined by Plaintiff no earlier than August 28, 2014. Accordingly, the Court finds that  
18 Plaintiff has failed to meet the requirement for issuing a restraining order without notice  
19 to the adverse party "that immediate and irreparable injury, loss, or damage will result to  
20 the movant before the adverse party can be heard in opposition." FED. R. CIV. P.  
21 65(b)(1)(A).


22 **IT IS HEREBY ORDERED** that Plaintiff's Application for Temporary  
23 Restraining Order (ECF No. 6) is **DENIED**.

24 **IT IS FURTHER ORDERED** that Plaintiff shall serve Defendants Chase and the  
25 Internal Revenue Service (the "IRS") with a copy of this Order and file a certificate of

1 service by close of business on August 13, 2014. Defendants shall have until August 18,  
2 2014 to file a Response in Opposition to Plaintiff's Motion for Preliminary Injunction.  
3 (ECF No. 7.) Plaintiff shall have until noon on August 20, 2014 to file a Reply.

4 **IT IS FURTHER ORDERED** that Defendants IRS and Chase shall show cause  
5 before the Honorable Gloria M. Navarro, United States District Judge on Friday, August  
6 21, 2014 at 10:00 AM in Courtroom 7D at the Lloyd D. George U.S. Courthouse, 333  
7 Las Vegas Boulevard South, Las Vegas, Nevada 89101 concerning why the preliminary  
8 injunction sought by Plaintiff should not issue pursuant to FED. R. CIV. P. 65(a) pending  
9 the final hearing and determination of this action.

10 DATED this 11th day of August, 2014.

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14 Gloria M. Navarro, Chief Judge  
United States District Judge  
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