

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

JOHN WOODS, M.D. and,)
TOM MCDONALD, M.D.,)
)
Petitioners,)
)
)
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)
)
v.)
)
LORETTA E. LYNCH, United States)
Attorney General, UNITED STATES)
DEPARTMENT OF JUSTICE, CHUCK)
ROSENBERG, Acting Administrator)
of the Drug Enforcement)
Administration, UNITED STATES)
DRUG ENFORCEMENT)
ADMINISTRATION,)
)
Respondents.)

No. 1:16-CV-01289-STA-egb

**ORDER ADOPTING REPORT AND RECOMMENDATION AND GRANTING
PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER ENJOINING
THE UNITED STATES DEPARTMENT OF JUSTICE AND THE UNITED STATES
DRUG ENFORCEMENT ADMINISTRATION FROM ENFORCING
21 C.F.R. § 1301.76(a) AGAINST JOHN WOODS, M.D., AND TOM MCDONALD, M.D.**

On November 15, 2016, Magistrate Judge Edward G. Bryant held an ex parte hearing on John Woods, M.D. and Tom McDonald, M.D.'s Amended Complaint seeking a temporary restraining order to prevent the Drug Enforcement Administration from enforcing 21 C.F.R. § 1301.76(a). Following the hearing, Magistrate Judge Bryant issued a Report and Recommendation recommending that the Court grant a temporary restraining preventing the Respondents from preventing Dr. Woods and Dr. McDonald from working at Henderson County

Community Hospital while the DEA processes their forthcoming employment waivers. The Petitioners' motion asking the Court to act immediately to issue a temporary restraining order and expedite the preliminary-injunction hearing followed.

After reviewing the record and Magistrate Judge Bryant's Report and Recommendation, the Court concludes that immediate relief is necessary. Therefore, the Court adopts the Report and Recommendation and grants Petitioners' motion for temporary restraining order. The Respondents are prevented from enforcing 21 C.F.R. § 1301.76(a) against Dr. Woods and Dr. McDonald. The Court will set this matter for an expedited hearing by separate letter. Petitioners are ordered to serve Respondents with a copy of this order, the Magistrate Judge's Report and Recommendation, and the forthcoming setting letter.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE

Date: November 15, 2016