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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BRUCE DANIEL MULLIGAN,	)	
	)	
Plaintiff,	)	CASE NO. C09-842RSL-MAT
	)	
v.	)	
	)	
DR. DAVID KENNEY, <i>et al.</i> ,	)	ORDER DENYING PLAINTIFF’S
	)	MOTION FOR PRELIMINARY
Defendants.	)	INJUNCTIVE RELIEF
_____	)	

The Court, having reviewed plaintiff’s amended civil rights complaint, plaintiff’s motion for preliminary injunctive relief, the Report and Recommendation of Judge Mary Alice Theiler, United States Magistrate Judge, plaintiff’s objections, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation. In Winter v. Natural Res. Def. Council, \_\_ U.S. \_\_, 129 S. Ct. 365, 375-76 (2008), the Supreme Court made clear that a preliminary injunction may not be entered based only on the “possibility” of irreparable harm: plaintiff must demonstrate that irreparable injury is likely in the absence of an injunction. Although Judge Theiler cited to Ninth Circuit authority that utilized the “possibility of irreparable injury”


ORDER DENYING PLAINTIFF’S MOTION  
FOR PRELIMINARY INJUNCTIVE RELIEF

1 standard, that standard did not affect her preliminary injunction analysis.

2 (2) Plaintiff's motion for preliminary injunctive relief (Dkt. # 20) is DENIED.

3 (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for  
4 defendants, and to the Honorable Mary Alice Theiler.

5  
6 Dated this 7th day of January, 2010.

7 

8 Robert S. Lasnik  
9 United States District Judge