

1 companies to themselves on June 27, 2011, shortly after plaintiff broke with defendant Maroun
2 N. El Khoury. Motion (Dkt. # 2) at 4. This assertion is unsworn, and the only evidence
3 provided is a checking account statement that is not properly authenticated and does not, in and
4 of itself, link the funds to the four companies at issue in this litigation. Even if the Court
5 assumes that the anonymous handwritten notes on the statement are accurate, there is no
6 evidence regarding the current management situation at the companies or whether defendant
7 Maroun N. El Khoury retains the ability to unilaterally transfer company assets. It has been
8 three months since the \$7 million transfer occurred, and there is no indication that defendants
9 have absconded or attempted to abscond with additional assets during that period. Plaintiff has
10 therefore failed to clearly show that an immediate and irreparable loss will result if defendants
11 are given notice of this lawsuit prior to consideration of plaintiff's request for preliminary
12 injunctive relief.

13
14 For all of the foregoing reasons, plaintiff's motion for entry of a temporary
15 restraining order without notice is DENIED without prejudice. Plaintiff may seek expedited
16 preliminary relief after the complaint and summons are served on defendants.

17 Dated this 27th day of September, 2011.

18 

19 Robert S. Lasnik
20 United States District Judge
21
22
23
24
25
26