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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JESSICA SAEPOFF,

11 Plaintiff,

12 v.

13 JAY RIEHLE, et al.,

14 Defendants.

CASE NO. C17-0482JLR

ORDER DENYING EX PARTE
RELIEF, ORDERING SERVICE,
AND RENOTING PLAINTIFF'S
MOTION FOR A TEMPORARY
RESTRAINING ORDER

15 Before the court is *pro se* Plaintiff Jessica Saepoff's *ex parte* motion for a
16 temporary restraining order ("TRO"). (Mot. (Dkt. # 6).) Federal Rule of Civil Procedure
17 65(b)(1) precludes entry of a TRO without notice to the adverse party unless "(A)
18 specific facts in an affidavit or a verified complaint clearly show that immediate and
19 irreparable injury, loss, or damage will result to the movant before the adverse party can
20 be heard in opposition; and (B) the movant[] certifies in writing any efforts made to give
21 notice and the reasons why it should not be required." *See* Fed. R. Civ. P. 65(b)(1); *see*
22 *also* Local Rules W.D. Wash. LCR 65(b)(1).

1 The court has reviewed the relevant filings in this matter. (*See* Compl. (Dkt. # 1);
2 Mot.; Exs. 1-12 (Dkt. # 6-1); Saepoff Decl. (Dkt. # 7).) Ms. Saepoff has not clearly
3 shown that immediate and irreparable injury will occur before Defendants can be heard in
4 opposition; indeed, she has not shown that Defendants will take any immediate action.
5 Ms. Saepoff has also not shown that she made any effort to provide notice to Defendants.
6 Finally, Ms. Saepoff has failed to comply with the Local Civil Rule regarding *ex parte*
7 TRO motions. *See* Local Rules W.D. Wash. LCR 65(b)(1) (“Motions for temporary
8 restraining orders without notice to and an opportunity to be heard by the adverse party
9 are disfavored and will rarely be granted. . . . The motion must also include contact
10 information for the opposing party’s counsel or for an unrepresented party.”).
11 Accordingly, the court DENIES Ms. Saepoff *ex parte* relief.¹

12 Although three Defendants have appeared in this action and therefore received
13 electronic notice of Ms. Saepoff’s motion (*see* Nots. of Appearance (Dkt. ## 3-5)), the
14 remaining Defendants have not appeared (*compare* Compl. at 1, *with* Dkt.). Furthermore,
15 Ms. Saepoff has not provided contact information for Defendants, *see* Local Rules W.D.
16 Wash. LCR 65(b)(1), or indicated which, if any, Defendants have been properly served
17 with a copy of the complaint and summons (*see* Dkt.); Fed. R. Civ. P. 4(l)(1) (requiring
18 proof of service by affidavit unless service is waived).² Accordingly, the court ORDERS
19 Ms. Saepoff to take the following actions:

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21 ¹ In denying *ex parte* relief, the court expresses no opinion on the merits of Ms. Saepoff’s
motion for a TRO.

22 ² Ms. Saepoff has, however, served her motion on Defendants by mail. (Mot. at 20-21.)

1 (1) No later than Friday, April 14, 2017, file a notice providing, to the best of Ms.
2 Saepoff's ability, contact information for each Defendant's counsel and for
3 each unrepresented Defendant. *See* Local Rules W.D. Wash. LCR 65(b)(1).

4 (2) No later than Monday, April 17, 2017,

5 (a) file proof of service pursuant to Federal Rule of Civil Procedure 4(l),
6 indicating which Defendants have been properly served with a summons
7 and a copy of the complaint; and

8 (b) file a notice indicating the status of serving any Defendants that remain
9 unserved as of April 17, 2017.

10 (3) As soon as possible, but in any event no later than Wednesday, April 19, 2017,

11 (a) serve with a summons, a copy of the complaint, and a copy of this order,
12 any Defendants that remained unserved as of Monday, April 17, 2017; and

13 (b) file proof of service of those Defendants pursuant to Federal Rule of Civil
14 Procedure 4(l).

15 Ms. Saepoff's failure to comply with the above timeline may result in the denial of her
16 TRO motion.

17 The court DIRECTS the Clerk to renote Ms. Saepoff's TRO motion (Dkt. # 6) for
18 Friday, April 21, 2017. Defendants may respond to Ms. Saepoff's TRO motion by
19 Thursday, April 20, 2017. Defendants may respond jointly or individually, but no
20 response may exceed twelve (12) pages. Ms. Saepoff may not file a reply. After

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1 receiving Defendants' responses, the court will determine whether to set a hearing on Ms.
2 Saepoff's TRO motion.

3 Dated this th 13 day of April, 2017.



JAMES L. ROBART
United States District Judge

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