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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE
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9 XPO LOGISTICS, INC., a Delaware
10 corporation, and XPO LOGISTICS FREIGHT,
11 INC., a Delaware corporation,

12 Plaintiffs,

13 v.

14 THOMAS MICHAJLA,

15 Defendant.
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Case No. C17-1346RSL

ORDER ESTABLISHING
BRIEFING SCHEDULE

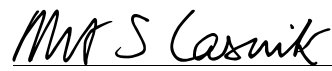
17 On Thursday, September 7, 2017, plaintiffs filed a complaint alleging defendant violated
18 state and federal trade secret laws, Dkt. # 1, and included a motion for a temporary restraining
19 order, order to show cause why a preliminary injunction should not issue, and order permitting
20 expedited discovery, Dkt. # 5.

21 There is no indication on the record that plaintiffs served defendant or otherwise provided
22 notice of the motion. A party may obtain a temporary restraining order without notice to the
23 adverse party, but only after providing “specific facts in an affidavit or a verified complaint
24 clearly show[ing] that immediate and irreparable injury, loss, or damage will result to the
25 movant before the adverse party can be heard in opposition,” and providing a certified
26 explanation of why notice should not be required. Fed. R. Civ. P. 65(b)(1).

27 Plaintiffs have not met those requirements and are hereby directed to serve defendants
28 with the summons, with the complaint and accompanying motions, and with this Order on or

1 before Thursday, September 14, 2017. The Clerk of Court is directed to renote plaintiffs'
2 "Motion for Temporary Restraining Order, Order to Show Cause, and Order Permitting
3 Expedited Discovery," Dkt. # 5, on the Court's calendar for Wednesday, September 20, 2017.
4 Defendant may file a response no later than 4:30 PM on Tuesday, September 19, 2017.
5 Plaintiffs' reply, if any, shall be filed no later than 4:30 PM on the note date.

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7 DATED this 11th day of September, 2017.

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10 Robert S. Lasnik
11 United States District Judge
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