





1 party in the absence of preliminary relief; (3) that a balance of equities tips in the favor of  
2 the moving party; and (4) that an injunction is in the public interest. *Winter v. Natural*  
3 *Res. Def. Council, Inc.*, \_\_\_ U.S. \_\_\_, 129 S. Ct. 365, 376 (2008).

4 3. Based on the findings set forth above and the evidence submitted to the  
5 Court, there is a likelihood that Petitioner will succeed on the merits of the Petition for  
6 Return under the Hague Convention; irreparable injury is likely if temporary relief is not  
7 granted based upon Petitioner's allegation that Respondent has wrongfully removed or  
8 retained the children from the jurisdiction of their habitual residence; the balance of  
9 equities tips in favor of Petitioner; and temporary relief is in the public interest.

### 10 **III. ORDER**

11 Therefore, it is hereby

12 **ORDERED** that Petitioner's Motion for Emergency *Ex Parte* Temporary  
13 Restraining Order and Preliminary Injunctive Relief Regarding Two Minor Children  
14 (Dkt. 4) is **GRANTED** as follows:

15 1. The United States Marshals Service shall serve Respondent, located at  
16 12721 47th Avenue SW, Apt. 14, Lakewood, WA 98499, with this order, as well as the  
17 pleadings filed by Petitioner in this case;

18 2. The United States Marshals Service shall ask Respondent to surrender all  
19 passports, visas and travel documents belonging to the children, which will remain in the  
20 custody of this Court until the hearing on Petitioner's motion for preliminary injunction;

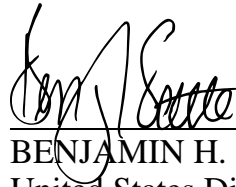
21 3. Respondent, or any other person, is prohibited from removing the children  
22 from Washington State until the hearing on Petitioner's motion for preliminary relief;

23 4. A hearing on Petitioner's request for preliminary injunctive relief shall  
24 occur on March 25, 2010 at 4:15 PM in Courtroom E at the Federal Courthouse in  
25 Tacoma, WA;

1           5.       At that hearing, the Court shall grant or deny Petitioner's motion for the  
2 continuation of these emergency remedies pending the Court's final decision on the  
3 Petition for Return or other order of this Court; and

4           6.       This order shall expire on March 26, 2010, one day after the scheduled  
5 hearing on Petitioner's motion for preliminary relief, unless the order is extended for  
6 good cause.

7           DATED this 16th day of March, 2010.

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10 BENJAMIN H. SETTLE  
11 United States District Judge  
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