



1 granted before the adverse party may be heard, and (2) states his efforts to give notice  
2 and reasons why notice should not be required. Fed. R. Civ. P. 65(b)(1).

3 Here, the Schumackers have failed to show that they attempted to give any notice  
4 to Defendants. The Schumackers have also failed to show why notice should not be  
5 required in this case. Moreover, the Schumackers have not sufficiently established this  
6 Court's authority to overturn or interfere with the Tennessee state court order alleged to  
7 have been entered at this time. The Court therefore denies the Schumackers' motion for a  
8 temporary restraining order.

9 The Schumackers' motion also contains a request for a preliminary injunction.  
10 Dkt. 2. The Court concludes that once the Schumackers have filed proof of proper  
11 service of process on Defendants, they may renew their request for a preliminary  
12 injunction hearing in a motion seeking such relief.

13 Therefore, it is hereby **ORDERED** that the Schumackers' motion for a temporary  
14 restraining order and preliminary injunction (Dkt. 2) is **DENIED**.

15 Dated this 10th day of December, 2014.

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18 BENJAMIN H. SETTLE  
United States District Judge