

1 HONORABLE RONALD B. LEIGHTON

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 CALLI L HISEY,

10 Plaintiff,

v.

11 KELLY ELLIS, et al.,

12 Defendants.

CASE NO. C17-5543RBL

ORDER GRANTING TEMPORARY
RESTRAINING ORDER

DKT. #6

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14 THIS MATTER is before the Court on Plaintiff Hisey's Motion for a Temporary
15 Restraining Order [Dkt. #6] against Defendants Kelly Ellis and Innovative Data Search LLC, dba
16 bankruptreport.com, among others.

17 The purpose of a TRO is to "preserve the status quo and prevent irreparable harm just so
18 long as is necessary to hold a hearing [on the preliminary injunction application], and no
19 longer." *Granny Goose Foods, Inc. v. Brotherhood of Teamsters & Auto Truck Drivers*, 415
20 U.S. 423 (1974); *see also Reno Air Racing Ass'n v. McCord*, 452 F.3d 1126, 1130-31 (9th Cir.
21 2006). To obtain a TRO or a preliminary injunction, the moving party must show: (1) a
22 likelihood of success on the merits; (2) a likelihood of irreparable harm to the moving party in
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1 the absence of preliminary relief; (3) that a balance of equities tips in the favor of the moving
2 party; and (4) that an injunction is in the public interest. *See Winter v. Natural Res. Def. Council,*
3 *Inc.*, 555 U.S. 7, 20 (2008).

4 Traditionally, injunctive relief was also appropriate under an alternative “sliding scale”
5 test. *The Lands Council v. McNair*, 537 F.3d 981, 987 (9th Cir. 2008). However, the Ninth
6 Circuit overruled this standard in keeping with the Supreme Court’s decision in *Winter*.
7 *See American Trucking Ass’ns Inc. v. City of Los Angeles*, 559 F.3d 1046, 1052 (9th Cir. 2009)
8 (“[t]o the extent that our cases have suggested a lesser standard, they are no longer controlling, or
9 even viable”).

10 Hisey has established each of these factors supporting a TRO against Defendants Kelly
11 Ellis and Innovative Data Search LLC, dba bankruptreport.com. The Motion for a TRO is
12 GRANTED, and these defendants are ENJOINED as follows:

- 13 1. Defendants Kelly Ellis and Innovative Data Search LLC, dba bankruptreport.com are ordered
14 to stop posting and broadcasting false, defamatory and malicious information about and depiction of
15 the Plaintiffs’ name, professional career and business.
- 16 2. Defendants Kelly Ellis and Innovative Data Search LLC, dba bankruptreport.com are ordered
17 to take down the following websites: www.callihisey.com, <https://callihisey.com.cutestat.com/>,
[http://www.bankruptreport.com/articles/calli-hisey-attorney-arrested-for-public-urination-attacks-](http://www.bankruptreport.com/articles/calli-hisey-attorney-arrested-for-public-urination-attacks-bankruptreport-com.html)
[bankruptreport-com.html](http://minify.mobi/results/callihisey.com), <http://minify.mobi/results/callihisey.com>.
- 18 3. Defendants Kelly Ellis and Innovative Data Search LLC, dba bankruptreport.com are ordered
19 to stop using Plaintiffs’ trademarks in Calli Hisey, Calli L. Hisey, Calli Lynn Hisey, and Calli Hisey
20 Law Offices PC in any way via online platforms or avenues otherwise.

21 Hisey shall post a bond in the amount of \$1000 under Fed. R. Civ. P. 65(c).

22 The Court will hold a hearing, with witnesses and evidence if the parties so choose, on
23 Hisey’s application for a Preliminary Injunction on September 1, 2017. @ 9:30 am

24 IT IS SO ORDERED.

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Dated this 10th day of August, 2017 [Pick the date].



Ronald B. Leighton
United States District Judge