

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

PETER CONDAKES COMPANY, INC.,)	
)	
Plaintiff,)	
)	
v.)	Docket no. 2:09-cv-168-GZS
)	
SANDLER BROS., et al.,)	
)	
)	
Defendants.)	

ORDER ON *EX PARTE* MOTION FOR TEMPORARY RESTRAINING ORDER

Before the Court is Plaintiff's Ex Parte Motion for Temporary Restraining Order and Preliminary Injunction (Docket # 4). Via this Motion, Plaintiff seeks injunctive relief *ex parte* pursuant to Federal Rule of Civil Procedure 65(b). The Court notes that Plaintiff also has pending a Motion for Attachment and Trustee Process (Docket # 5). Having reviewed Plaintiff's submission in its entirety, the Court cannot find that Plaintiff will suffer irreparable harm absent an *ex parte* temporary restraining order and, thus, the Court finds no adequate basis for granting Plaintiff the extraordinary remedy of *ex parte* injunctive relief. In sum, the Court believes that Plaintiff has an adequate remedy available via its other pending motion for attachment and trustee process, on which Plaintiff is free to request expedited briefing. For this reason, the Court hereby DENIES Plaintiff's Ex Parte Motion for Temporary Restraining Order and Preliminary Injunction (Docket # 4) and ORDERS the Motion be UNSEALED on the docket.

SO ORDERED.

/s/ George Z. Singal
United States District Judge

Dated this 1st day of May, 2009.

Plaintiff

**PETER CONDAKES COMPANY
INC**

represented by **RITA M. FARRY**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

SANDLER BROS

Defendant

MARK SANDLER

Defendant

MARJORIE SANDLER

Defendant

CANDICE O'BRIEN