

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Plaintiff,
-against-

+

ORDER TO SHOW CAUSE
-CV- ()

SAMPLE

Defendant.

-----x

Upon the affidavit(s) of _____ (Name(s) of Person(s) Making Affidavit(s)), sworn to on the _____ (Affidavit Date), 19____, and upon the copy of the complaint hereto attached it is ORDERED, that the above named defendant(s) show before this Court, at Room _____, United States Courthouse, _____ (Courthouse Address), on _____ (Return Date), 19____, at o'clock in the _____ noon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule _____ of the Federal Rules of Civil Procedure _____ (State What You Want the Court to Order)

SAMPLE

and it is further ORDERED that a copy of this order, together with the papers upon which it is granted, be personally served upon the defendant(s) or his (their) attorney on or before _____ (Date of Delivery of Order to Show Cause), 19____ by _____ (Time of Day) and that such service be deemed good and sufficient.

SAMPLE

Dated: _____ (City), New York

(Date)

United States District Judge

1 of 3

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MEMORANDUM OF LAW IN
SUPPORT OF ORDER TO
SHOW CAUSE FOR PRELIMINARY
INJUNCTION AND TEMPORARY
RESTRAINING ORDER

Plaintiff,

-against-

-CV- ()

Defendant.

-----X

STATE OF NEW YORK) ss.:
COUNTY OF)

SAMPLE

 (Plaintiff's Name) , being duly sworn, deposes and says
(or: makes the following affirmation under the penalties of
perjury):

I, (Plaintiff's Name) , am plaintiff in the above-entitled
action, and respectfully move this Court to issue an order
enjoining defendant (Defendant's Name) from/to (Specify
What You Want the Court to Order Immediately) until a final
disposition on the merits of the above-entitled action.

I am proceeding by order to show cause rather than by notice
of motion because (State reason(s) why you cannot wait the
normal time it takes when you file notice of motion)

SAMPLE

I have made the following attempts to contact my opponent(s)
and inform them that I am seeking a temporary restraining order:
 (State What You Have Done To Notify the Other Side)

Unless the preliminary injunction and temporary restraining
order are issued I will suffer immediate and irreparable injury as
shown by the following facts: (State facts showing that: (1)
You are suffering serious immediate harm; (2) The harm will not be

taken care of adequately by winning the case in the end: (3) You will most likely win the case in the end: and (4) The harm to you is more serious than any harm your opponent will suffer if the judge orders a preliminary injunction to protect you.

As can be seen from the foregoing, I have no adequate remedy at law and am entitled to a temporary restraining order and a preliminary injunction.

WHEREFORE, I respectfully request that the Court issue the temporary restraining order and preliminary injunction described above, as well as such other and further relief as may be just and proper.

(Sign Your Name)

(Print Your Name)

Sworn to before me this

_____ day of _____, 19____.

Notary Public

OR

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ (Date)

(Sign Your Name)

(Print Your Name)