

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION**

TRACEY K. KUEHL et al.,

Plaintiffs,

vs.

PAMELA SELLNER et al.,

Defendants.

No. 16-CV-2078-LRR

ORDER

The matter before the court is Plaintiffs’ “Motion for Preliminary Injunction (“Motion”) (docket no. 3), which they filed on July 11, 2016. In the Motion, Kuehl requests that the court grant a preliminary injunction ordering the immediate transfer of “a non-ambulatory African Lioness exhibiting signs of respiratory distress and a lethargic male African Lion from the Cricket Hollow Zoo in Manchester, Iowa to The Wild Animal Sanctuary in Keenesburg, Colorado” Motion at 2. In the alternative, Kuehl requests that the court “compel Defendants to permit a qualified veterinarian to visit and examine the lions in order to determine appropriate next steps for proper diagnosis and treatment.” *Id.* Kuehl requests expedited relief. It does not appear that Defendants have been served or otherwise provided any notice with respect to the Motion. *See* Fed. R. Civ. P. 65(a) (requiring notice before any issuance of a preliminary injunction).

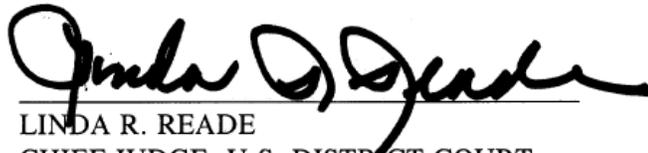
However, under Rule 65(b), “[t]he court may issue a temporary restraining order without written or oral notice to the adverse party or its attorney . . . if specific facts in an affidavit or a verified complaint clearly shows that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition; and . . . the movant’s attorney certifies in writing any efforts made to give notice and the reasons why it should not be required.” Such certification appears to be missing from the Motion. Nonetheless, the court finds it appropriate to hold a telephonic

hearing on the Motion. The telephonic hearing will take place on **Thursday, July 21, 2016 at 10:00 a.m.** At the hearing, Plaintiffs should be prepared to address the issue of notice. Plaintiffs will be notified by e-mail of the telephone number to call for the hearing.

Counsel for Plaintiffs is **DIRECTED** to serve a copy of this Order and the Motion on Defendants and any known counsel and to provide proof of such service prior to the hearing.

IT IS SO ORDERED.

DATED this 19th day of July, 2016.

A handwritten signature in black ink, appearing to read "Linda R. Reade", written over a horizontal line.

LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA