

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 09-22616-CIV-SEITZ/O'SULLIVAN

JERRY POWERS,

Plaintiff,

v.

NICHE MEDIA HOLDINGS, LLC,

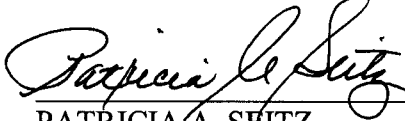
Defendant.

ORDER DENYING EMERGENCY NATURE OF MOTION

THIS MATTER is before the Court on Plaintiff's Emergency Motion for Preliminary Injunction [DE-3]. First, Plaintiff has failed to comply with the Local Rules regarding the filing of emergency motions. Further, the Complaint and Motion fail to set out in detail good cause for the necessity of expedited procedures, as required in an emergency motion. Finally, the Court notes that the Complaint does not clearly allege a case or controversy that is ripe for adjudication, specifically as to the request for declaratory and injunctive relief regarding the expiration of the non-competition and non-solicitation provisions. Upon consideration, it is hereby

ORDERED that Plaintiff's Emergency Motion for Preliminary Injunction [DE-3] is DENIED to the extent that it is not an emergency motion. The Court shall treat the motion as a standard motion.

DONE AND ORDERED in Miami, Florida, this 3rd day of September, 2009.



PATRICIA A. SEITZ
UNITED STATES DISTRICT JUDGE

cc: All counsel of record