

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----x

Plaintiff,  
-against-

+

ORDER TO SHOW CAUSE  
-CV- ( )

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)

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.

Dated: \_\_\_\_\_ (City), New York  
\_\_\_\_\_, (Date)

United States District Judge

1 of 3

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

Plaintiff,

-against-

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 a notice of motion)          

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)