IN THE FRANKLIN COUNTY, OHIO COURT OF COMMON PLEAS
CIVIL DIVISION

MADELINE MOE, et al.,	:	
Plaintiffs,	:	Case No. 24CVH03-2481
v.	:	JUDGE HOLBROOK
DAVID YOST, et al.,	:	
Defendants.	:	

DECISION AND ENTRY GRANTING
MOTION TO EXTEND TEMPORARY RESTRAINING ORDER

This matter comes before the Court upon the motion of Plaintiffs to extend the temporary restraining order (TRO) issued herein on April 16, 2024. Currently, the TRO will expire on April 30, 2024.

Plaintiffs submit that an extension of the TRO is necessary as the combined preliminary injunction hearing and trial on the merits is not scheduled to take place until May 16, 2024 and is expected to last through May 17, 2024. Plaintiffs also argue that an extension of the TRO beyond an additional 14 days set forth in Civ.R. 65(A) would preserve the status quo until such time as the hearing can occur and the Court can issue the resulting decision. In support of their position, Plaintiffs cite to *Citicasters Co. v. Stop 26 Riverbend*, 2002-Ohio-5197 (7th Dist.) (time limits in Civ.R. 65(A) do not apply when the TRO is issued with notice) and *Atwood v. Judge*, 63 Ohio App.2d 94 (7th Dist.1977) (when the trial court continued the temporary restraining order after the hearing where all parties appeared and participated, such temporary restraining order became a preliminary injunction pursuant to Civil Rule 65(B)).

Defendants oppose any extension of the temporary restraining order.

Upon review and consideration of Plaintiffs' motion, the Court finds good cause for

an extension. The Court further finds that authority cited by Plaintiffs is compelling. Defendants had notice of the April 12, 2024 hearing and participated therein. Moreover, the extension beyond the 14 days allowed for ex parte hearings is minimal in light of the expedited proceedings here.

Based on the forgoing, the Court GRANTS Plaintiffs' motion. The Temporary Restraining Order issued April 16, 2024 shall remain effective until, and including, May 20, 2024. The previously posted bond of $50,000.00 shall also remain in effect.

IT IS SO ORDERED.

Electronic notification to counsel of record

Franklin County Court of Common Pleas

Date: 04-30-2024

Case Title: MADELINE MOE ET AL -VS- DAVID YOST ET AL

Case Number: 24CV002481

Type: T R O (TEMPORARY RESTRAINING ORDER) ON

It Is So Ordered.



/s/ Judge Michael J. Holbrook

Court Disposition

Case Number: 24CV002481

Case Style: MADELINE MOE ET AL -VS- DAVID YOST ET AL

Motion Tie Off Information:

1. Motion CMS Document Id: 24CV0024812024-04-2699980000
   Document Title: 04-26-2024-MOTION - PLAINTIFF: MADELINE MOE - TO EXTEND TEMPORARY RESTRAINING ORDER
   Disposition: MOTION GRANTED