

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROCA LABS, INC.,

Plaintiff,

v.

Case No. 8:14-cv-2096-T-33EAJ

CONSUMER OPINION CORP., and
OPINION CORP.,

Defendants.

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ORDER

This cause is before the Court pursuant to Plaintiff Roca Labs, Inc.'s Verified Motion for Entry of a Temporary Injunction and Supporting Memorandum of Law (Doc. # 5), which was filed on August 26, 2014.

Pursuant to Local Rule 4.05, a temporary restraining order "will be entered only in emergency cases to maintain the status quo until the requisite notice may be given and an opportunity is afforded to opposing parties to respond to the application for a preliminary injunction." Alternatively, pursuant to Local Rule 4.06, a preliminary injunction may not be issued without notice, which must be at least fourteen days in advance of the hearing.

In the present matter, it is undisputed that Defendants Consumer Opinion Corp. and Opinion Corp. received notice of Roca Labs' Motion. To that end, the record reflects that Defendants filed an unopposed Motion for Extension of Time to Respond to Roca Labs' Motion. (Doc. # 4). Given the circumstances regarding the notice Defendants' received, this Court construes Roca Labs' Motion as a Motion for Preliminary Injunction, rather than a Motion for a Temporary Restraining Order.

Pursuant to 28 U.S.C. § 636(b)(1)(B), the Court may designate a Magistrate Judge to conduct hearings and to submit to the Court proposed findings of fact and recommendations for the disposition of such a motion. For purposes of judicial economy and in order to expedite the disposition of this Motion, the Court shall so refer the aforementioned motion.


Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

Plaintiff's Verified Motion for Entry of a Temporary Injunction and Supporting Memorandum of Law (Doc. # 5) is hereby referred to the Honorable Elizabeth A. Jenkins, United States Magistrate Judge, for the issuance of a report and

recommendation, including any hearings, motions, and deadlines related thereto.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 5th day of September, 2014.



VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies to: All Counsel of Record