

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.

DR. CARLOS I. GONZALEZ VARGAS;
DR. JOSE LASALDE DOMINICHI;
DR. CARMEN MALDONADO-VLAAR;
DR. ELVIRA CUEVAS;
DR. BRAD WIENER;
DR. ANTHONY SLAGLE;
DR. GERARDO MORELL;
DR. FERNANDO RENAUD;
DR. JOSE GARCIA-ARRARAS;
DR. ELVIA MELENDEZ-ACKERMAN;

Plaintiffs,

Vs.

ANTONIO GARCIA PADILLA, President,
University of Puerto Rico; GLADYS
ESCALONA, Chancellor, University of
Puerto Rico, Rio Piedras Campus;
SEGUNDO CARDONA, Member of the
Board of Trustees of the University of Puerto
Rico; RAFAEL ROVIRA PASSALACQUA,
Member of the Board of Trustees of the
University of Puerto Rico; ALBERTO BACO,
Member of the Board of Trustees of the
University of Puerto Rico; JOSE RAMON
GONZALEZ, Member of the Board of
Trustees of the University of Puerto Rico;
SALVADOR ANTONETTI, Member of the
Board of Trustees of the University of Puerto Rico;
EDGARDO CABAN, Member of the Board of
Trustees of the University of Puerto Rico;
MILTON COLON, Member of the Board of
Trustees of the University of Puerto Rico;
HECTOR HUYKE, Member of the Board of
Trustees of the University of Puerto Rico;
JAVIER MORALES, Member of the Board of
Trustees of the University of Puerto Rico;
ISABEL PICO, Member of the Board of Trustees
of the University of Puerto Rico; MARISARA
PONT, Member of the Board of Trustees of the
University of Puerto Rico; YGRI RIVERA DE
MARTINEZ, Member of the Board of Trustees
of the University of Puerto Rico,

Defendants

CIVIL NO. 05-1459CCC
JURY TRIAL REQUESTED

CIVIL 05-1459CCC

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Fed.R.Civ.P. 65(b) provides:

A temporary restraining order may be granted without written or oral notice to the adverse party or that party's attorney only if (1) it clearly appears from specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant before the adverse party or that party's attorney can be heard in opposition, and (2) the applicant's attorney certifies to the court in writing the efforts, if any, which have been made to give the notice and the reasons supporting the claim that notice should not be required.

The Motion for a Temporary Restraining Order (docket entry 2) states at page 2 the following:

2. Plaintiffs' counsel herein certify to the Court that the defendants have been delivered a copy of the Complaint with exhibits to Antonio García Padilla, Esq., President University of Puerto Rico via facsimile 787 753-7355 and to Dr. Gladys Escalona de Motta, Chancellor, University of Puerto Rico, Rio Piedras Campus, via facsimile 787 763-3999.

There is no mention of efforts made to give notice to the remaining defendants, all members of the Board of Trustees of the University of Puerto Rico, and the reasons supporting a claim that notice should not be required in this case. Accordingly, plaintiffs are GRANTED until tomorrow, APRIL 29, 2005 at 3:00 P.M. to comply with the certification required by Rule 65(b) as to the members of the Board of Trustees listed as defendants.

SO ORDERED.

At San Juan, Puerto Rico, on April ²⁸28, 2005.


CARMEN CONSUELO CEREZO
United States District Judge