

without an opportunity to be heard, or that the requested stay will “caus[e] the enforcement of the Mandate on Plaintiff Legatus while prohibiting any opposition.” Pl.’s Mot. for TRO at 2, ECF No. 71.

Plaintiff may oppose the government’s motion for a stay of briefing until Congress has restored appropriations to the Department of Justice; and this Court may deny that motion, or grant a stay for only a limited period of time, if the Court does not believe that the government has shown good cause for the requested relief (although the government believes it has for the reasons stated in the motion). But nothing about the government’s motion entitles plaintiff to a temporary restraining order now to enjoin the enforcement of regulations that do not take effect as to plaintiff until January 1, 2014. Plaintiff simply has not made any showing of irreparable harm.¹ Accordingly, the motion should be summarily denied.

Dated: October 1, 2013

Respectfully submitted,

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¹ Defendants note that the Court lifted the stay occasioned by Legatus’s appeal of the Court’s prior denial of preliminary injunctive relief on August 9, 2013. Yet, plaintiff waited until September 20, 2013 to file a motion for preliminary injunction with respect to the new regulations.

CERTIFICATE OF SERVICE

I certify that on October 1, 2013, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Erin E. Mersino, Richard Thompson; and I certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: NONE.

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