

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DENNIS SNYDER and
AUDRA SNYDER,

Plaintiffs,

vs.

No. 08-4094-SAC

THE AMERICAN KENNEL CLUB,

Defendant.

ORDER

This case comes before the court on defendant's motion to dissolve a temporary restraining order (TRO) issued on August 8, 2008, by the Shawnee County Court, Shawnee County Kansas. Having reviewed the record and having heard the arguments of counsel on August 19, 2008, the court is ready to rule.

A temporary restraining order is a drastic and extraordinary remedy, and courts do not grant it as a matter of right. *Paul's Beauty Coll. v. United States*, 885 F.Supp. 1468, 1471 (D.Kan.1995). It preserves the status quo and prevents immediate and irreparable harm until the Court has an

opportunity to pass upon the merits of a demand for preliminary injunction. See *Flying Cross Check, LLC v. Cent. Hockey League, Inc.*, 153 F.Supp.2d 1253, 1258 (D.Kan. 2001). Plaintiffs' motion for a preliminary injunction shall be heard on August 27th, 2008.

Plaintiffs have not established that monetary damages are inadequate to compensate for their injuries, that the intervening injury to their livelihood outweighs the damage a continued TRO would cause the defendant by undermining its credibility as a sanctioning organization, that the TRO would not be adverse to the public interest, or that there is a substantial likelihood of success on the merits. See *Wilderness Workshop v. U.S. Bureau of Land Management*, 531 F.3d 1220, 1224 (10th Cir. 2008). In short, the court is not convinced that the exigencies of the case support the continued existence of the TRO.

IT IS THEREFORE ORDERED that defendant's motion to dissolve the temporary restraining order issued on August 8, 2008, by the Shawnee County Court, Shawnee County, Kansas (Dk. 4) is granted.

Dated this 20th day of August, 2008.

s/ Sam A. Crow
Sam A. Crow, U.S. District Senior Judge