

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

MORRIS & DICKSON CO., LLC

CIVIL ACTION NO.: 18-0605

VERSUS

JUDGE ELIZABETH ERNY FOOTE

JEFFERSON B. SESSIONS, III, ET AL.

MAGISTRATE JUDGE HORNSBY

TEMPORARY RESTRAINING ORDER

A hearing having been held on May 8, 2018 on Plaintiff's motion for a temporary restraining order [Record Document 2], the motion is hereby **GRANTED**. On May 2, 2018, the Acting Administrator of the Drug Enforcement Agency ("DEA") issued an Order to Show Cause and Immediate Suspension of Registration, finding that the continued DEA registration of Morris & Dickson Co., LLC ("Morris & Dickson") poses an imminent danger to public health or safety. The Court finds that on the record before it, which does not include the complete record on which the Acting Administrator relied when issuing the Immediate Suspension of Registration, Plaintiff has demonstrated a substantial likelihood that it will be able to prove that the Acting Administrator's finding is arbitrary and capricious. The Court further finds that Morris & Dickson faces a substantial threat of irreparable harm if the immediate suspension of DEA Certificates of Registration Nos. RM0314790 and RM0335732 is not enjoined and that the balance of equities and the public interest favor granting a temporary restraining order.

IT IS ORDERED that Defendants, Jefferson B. Sessions, III, the United States Department of Justice, Robert W. Patterson, and the United States DEA (collectively, "Defendants"), or anyone acting on their behalf are hereby prohibited from enforcing the Immediate Suspension of Registration executed on May 2, 2018. The Order to Show Cause at a hearing before the DEA on July 9, 2018

remains in effect.

IT IS FURTHER ORDERED that Defendants are directed to immediately return any registrations, licenses, or forms to Morris & Dickson in order to make this Court's temporary restraining order effective.

IT IS FURTHER ORDERED that Defendants immediately return or unseal any controlled substances seized or placed under seal in connection with the Immediate Suspension of Registration.

IT IS FURTHER ORDERED that this order will remain in force until **May 22, 2018**, but the Court notes that the order may be extended an additional fourteen days for good cause. A hearing on Plaintiff's request for a preliminary injunction is set for **9:00 a.m. on May 22, 2018**.

IT IS FURTHER ORDERED that Defendants are to file with ^{the} Court by **12:00 p.m.** on May 10, 2018 a **certified** copy of the record on which the Acting Administrator relied when making the findings present in the Immediate Suspension of Registration.. The record shall be provided to all parties and a paper courtesy copy must be provided to the Court.

IT IS FURTHER ORDERED that any response by Plaintiff be filed by **May 15, 2018** and any reply by Defendants by **May 18, 2018**. The parties are to disclose the identity of any witnesses that they will present at the hearing by **May 18, 2018**.

IT IS FURTHER ORDERED that Plaintiff is not required to post security because the Court finds that the DEA will suffer no financial harm during the pendency of the restraining order.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 8th day of May, 2018.



ELIZABETH ERNY FOOTE
UNITED STATES DISTRICT JUDGE