

# **EXHIBIT A**

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**TERRY GENE BOLLEA, professionally  
known as HULK HOGAN,**

**Plaintiff,**

**vs.**

**Case No. 8:12-cv-02348-T-27TBM**

**GAWKER MEDIA, LLC, et al.,**

**Defendant.**

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**ORDER**

**BEFORE THE COURT** are Plaintiff's Motion for Temporary Restraining Order (Dkt. 4) and Plaintiff's Motion for Preliminary Injunction (Dkt. 5). Plaintiff's Motion for Temporary Restraining Order (Dkt. 4) seeks temporary injunctive relief prior to service of process and without affording an opportunity for Defendants to be heard. "An *ex parte* temporary restraining order is an extreme remedy to be used only with the utmost caution." *Levine v. Comcoa Ltd.*, 70 F.3d 1191, 1194 (11th Cir. 1995) (Hill, C.J., concurring). Upon consideration, Plaintiff has failed to show that immediate and irreparable injury, loss, or damage will result before Defendants can be heard in opposition. *See* Fed.R.Civ.P. 65(b)(1)(A); *see also* *Zidon v. Pickrell*, 338 F.Supp.2d 1093 (D. N.D. 2004) (denying motion for temporary restraining order filed by former boyfriend seeking to shutter former girlfriend's website which purportedly contained defamatory and derogatory content). Accordingly, it is **ORDERED AND ADJUDGED** that Plaintiff's Motion for Temporary Restraining Order (Dkt. 4) is **DENIED**.

**IT IS FURTHER ORDERED** that a hearing on the Motion for Preliminary Injunction (Dkt. 5) is scheduled for **November 8, 2012 at 3:00 p.m.** before the undersigned judge in Courtroom 13B of the Sam Gibbons Courthouse, 801 North Florida Avenue, Tampa, Florida 33602. Plaintiff shall immediately effect service of process in accordance with the requirements of Rule 4, Federal Rules of Civil Procedure, and file proof of service with the Clerk. Additionally, on or before **October 31, 2012**, Plaintiff shall file proof of service of the moving paper(s), affidavit(s) and a copy of this Order in accordance with Local Rule 4.06(b)(2). Defendant shall file and serve any opposing affidavit(s) and a responsive brief not later than **November 2, 2012**. The hearing will be limited to argument of counsel unless the Court grants express leave to the contrary in advance of the hearing. *See* Local Rule 4.06(b).<sup>1</sup>

**DONE AND ORDERED** this 19<sup>th</sup> day of October, 2012.

  
**JAMES D. WHITTEMORE**  
**United States District Judge**

Copies to:  
Counsel of Record

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<sup>1</sup> Local Rule 4.06(b) applies except where in conflict with the provisions of this Order.