

**IN THE COURT OF COMMON PLEAS
- GENERAL DIVISION -
TRUMBULL COUNTY, OHIO**

CASE NUMBER: 2018 CV 01548

**COMMITTEE OF LORDSTOWN
CONCERNED RESIDENTS
PLAINTIFF**

VS.

JUDGE PETER J KONTOS

**VILLAGE OF LORDSTOWN OHIO
DEFENDANT**

JUDGMENT ENTRY

This matter is before the Court on the Plaintiffs' Motion for a Temporary Restraining Order. A temporary restraining order is an extraordinary remedy. *Langley v. Fetterolf* (1993), 89 Ohio App.3d 14, 17, 623 N.E.2d 577; *Perkins v. Village of Quaker City, et al.* (1956), 165 Ohio St. 120. A plaintiff must prove each of the four necessary elements for injunctive relief by clear and convincing evidence: (1) a substantial likelihood of success on the merits; (2) irreparable injury to the plaintiffs absent the injunction; (3) no prejudice to others; and (4) the injunction serves the public interest. *KLN Logistics Corp. v. Norton*, 174 Ohio App.3d 712, 2008-Ohio-212, 884 N.E.2d 631 (8th Dist.) (citations omitted). A party seeking injunctive relief must prove all four prerequisites by clear and convincing evidence. *Avery Dennison Corp. v. Transact Techs., Inc.*, 11th Dist. Lake No. 2012-L-132, 2013-Ohio-4551, ¶ 36.

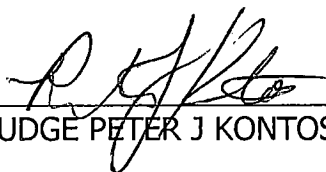
Here, Plaintiffs have failed to meet their burden and have not demonstrated they are entitled to temporary or preliminary injunctive relief.



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Plaintiffs' Motion for a Temporary Restraining Order is hereby DENIED. Case to proceed. Permanent Injunction and Declaratory Judgment hearing set for September 11, 2018 at 10:00 A.M.

IT IS SO ORDERED.



JUDGE PETER J KONTOS

Date: 8/28/18
Copies to:
MATTHEW M RIES
NICOLE M KOPPITCH
DAVID S. NICHOL

FILED
COURT OF COMMON PLEAS

AUG 28 2018

TRUMBULL COUNTY, OH
KAREN INFANTE ALLEN, CLERK