

**UNITED STATES DISTRICT COURT
DISTRICT OF DISTRICT OF COLUMBIA**

MASSACHUSETTS LOBSTERMEN’S
ASSOCIATION, INC.
8 Otis Place
Scituate, MA 02066

Plaintiff,

v.

GINA RAIMONDO, *in her official capacity
as Secretary*,
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230,

JANET COIT, *in her official capacity as
Assistant Administrator*,
NOAA Fisheries
1315 East-West Highway
Silver Spring, MD 20910,

NATIONAL MARINE FISHERIES
SERVICE,
1315 East-West Highway
Silver Spring, MD 20910

Defendants.

Case No.

**TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE**

The above-entitled matter came on before the undersigned Judge of the U.S. District Court for the District of D.C. on Plaintiff Massachusetts Lobstermen’s Association, Inc.’s Motion, for Temporary Restraining Order, Preliminary Injunction, and Stay pursuant to 5 U.S.C. 705 against Defendants Gina Raimondo, Janey Coit, and National Marine Fisheries Service. Plaintiff was represented by Samuel Blatchley, Daniel J. Cragg, and Robert T. Dube Jr. Defendants were

represented by _____. The Court, being duly advised in the premises, makes the following:

ORDER

1. IT IS HEREBY ORDERED that Plaintiff Massachusetts Lobstermen’s Association, Inc.’s Motion for a Temporary Restraining Order be, and the same is, **GRANTED**.

2. IT IS HEREBY ORDERED that Defendants Gina Raimondo, Janet Coit, and National Marine Fisheries Services, be, and are, **ENJOINED AND RESTRAINED** as follows:

- a. Defendants’ “Emergency Closure for Trap/Pot Fisheries: Area Between Massachusetts State Waters and Federal Waters within the Massachusetts Restricted Area for February 1- April 30, 2023” be stayed until the resolution of Plaintiff’s motion for preliminary injunction and stay;
- b. Defendants shall not promulgate another “Emergency Closure for Trap/Pot Fisheries: Area Between Massachusetts State Waters and Federal Waters within the Massachusetts Restricted Area for February 1- April 30, 2023” unless and until this Court has ruled that Defendants are empowered to do so under the Marine Mammal Protection Act and the Consolidated Appropriations Act of 2023.

3. IT IS HEREBY FURTHER ORDERED that Defendants shall show cause, if any there be, before the undersigned Judge of U.S. District Court, 333 Constitution Avenue N.W. Washington D.C. 20001, in a courtroom to be determined at _____ o’clock ____ .m. on the _____ day of _____ 2023, why a Preliminary Injunction and Stay pursuant to 5 U.S.C. § 705 of like import and effect as this Temporary Restraining Order should not be issued for the pendency of this action.

4. IT IS HEREBY FURTHER ORDERED that the Clerk of Court shall mail and/or email a copy of this Order, Injunction, and Administrative Stay to Defendants and/or their counsel.

SO ORDERED

Dated: _____

The Honorable
United States District Court Judge