

**IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY, PART IV**

ROBERT STARBUCK NEWSOM,)
aka ROBBY STARBUCK,)
)
Plaintiff,)
)
vs.)
)
TENNESSEE REPUBLICAN PARTY;)
and the TENNESSEE REPUBLICAN)
PARTY STATE EXECUTIVE)
COMMITTEE,)
)
Defendants.)

CASE NO. 22-0735-IV

ORDER

On June 7, 2022, in the late afternoon, Proposed Intervenor Morgan Ortagus filed an Expedited Motion to Intervene, attaching an Intervening Complaint as Exhibit 1, a Notice and Application for Temporary Injunction pursuant to Tenn. R. Civ. P. 65.04 as Exhibit 2, and a Memorandum of Law in support of her Application for Temporary Injunction as Exhibit 3. Concurrently, Ms. Ortagus also filed a Memorandum of Law in support of her Expedited Motion to Intervene.

The Court respectfully DENIES, without prejudice, Proposed Intervenor's Application for a Temporary Injunction on two grounds. First, the motion is not accompanied by a "verified complaint, affidavit, or other evidence that the movant's rights are being or will be violated" as required by Tenn. R. Civ. P. 65.04(2). Secondly, and more importantly, the application is untimely and barred by laches.

Under Tenn. R. Civ. P. 65, a party against whom a temporary injunction is sought must have notice and a meaningful opportunity to oppose the application. In this vein, the temporary injunction entered in this case on June 3, 2022 was entered only on behalf of Plaintiff, Robert Starbuck Newsom a/k/a Robby Starbuck, and was not intended to

have general application. The Court, accordingly, DENIES the motion to intervene for temporary injunction purposes on the ground of timeliness.

The Court will hear the motion to intervene under the notice provisions of Local Rule § 26. This is in keeping with fundamental fairness and the Court's inherent authority to manage and control its dockets. *See Hessmer v. Hessmer*, 138 S.W.3d 901, 904 (Tenn. Ct. App. 2003).

IT IS SO ORDERED.

s/Russell T. Perkins

RUSSELL T. PERKINS, CHANCELLOR

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