

**IN THE DISTRICT COURT OF HOLT COUNTY, NEBRASKA**

**PREMIUM FARMS, LLC, a limited liability company,**

Plaintiff,

vs.

**HOLT COUNTY, NEBRASKA,**  
Defendant.

Case No. CI99-94

**ORDER**

This matter came on for hearing on July 12, 1999, at 1:30 p.m., in chambers at Brewster, Blaine County, Nebraska, on plaintiff's Motion for a Temporary Restraining Order. Cheryl R. Zwart and Richard C. Reier appeared as counsel for plaintiff; Thomas P. Herzog, Holt County Attorney, appeared for defendant.

Specific findings were made on the record, including that the plaintiff had failed to show irreparable injury, harm, loss, or damage accruing between today and consideration of the plaintiff's request for temporary injunction on Thursday, July 15, 1999, at 1:15 p.m.

IT IS THEREFORE ORDERED that:

1. The motion for temporary restraining order is denied without prejudice to the consideration of the preliminary injunctive relief, i.e. temporary injunction, requested in the plaintiff's petition.
2. A hearing on the plaintiff's request for a temporary injunction is hereby scheduled to be held in the District Courtroom, Holt County Courthouse, O'Neill, Nebraska, on Thursday, July 15, 1999, at 1:15 p.m. The hearing shall be held only upon affidavits submitted by the parties and the arguments of counsel.

Dated and issued in chambers at Brewster, Nebraska, on July 12, 1999.

If checked, the Court Clerk shall:

- : Mail a copy of this order to all counsel of record and to any pro se parties.  
Done on \_\_\_\_\_, 19\_\_\_\_ by \_\_\_\_\_.
- : Note the decision on the trial docket as: 7/12/99 Signed "Order" entered denying motion for t.r.o. without prejudice to temporary injunction, and setting hearing on temporary injunction for 7/15/99 at 1:15 p.m.  
Done on \_\_\_\_\_, 19\_\_\_\_ by \_\_\_\_\_.

Mailed to:

BY THE COURT:

\_\_\_\_\_  
William B. Cassel  
District Judge