

UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT

Civil Docket No. 11-2303

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Nicholas E. Purpura, *pro se*
Donald R. Laster Jr. *pro se*
et al.

Plaintiffs

**ORDER GRANTING
A TEMPORARY RESTRAINING
DUE TO
EXTRODINARY CIRCUMSTANCES
THAT REQUIRE EMERGENCY RELIEF**

VIOLATION Title 28 U.S.C. 1331
& CIVIL RIGHTS

Request For Declaratory Judgment
Individually & in their Official Capacity
UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES;
KATHLEEN SEBELIUS, in her official capacity
Individually & in their Official Capacity as the
Secretary of the United States, Department of Health
And Human Services;
UNITED STATES DEPARTMENT OF THE TREASURY;
TIMOTHY F. GEITHNER, in his official capacity as the
Secretary of the United States Department of the Treasury;
UNITED STATES DEPARTMENT OF LABOR; and HILDA
L. SOLIS, in her official capacity as Secretary of the United States
Department of Labor,

Defendants.
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LET Appellee/Respondents Show Cause why this Temporary Restraining Order should not be made permanent until this issue is fully adjudicated.

On June ___, 2011, the Court after reviewing Appellants' Affidavit in Support, and after due consideration based upon the facts and law necessary to support the cause of action and request the court FINDS as follows:

The threatened harm to Appellants and those they are spoke-persons for, to include the general public, outweighs any harm a temporary restraining order would inflict on Respondents.

Issuance of a temporary restraining order *ex parte* is clearly in the public's interest and not against the public's interest because the financial burdened the public is now and will continue to suffer as a whole if said relief is denied. Our Nation's financial crisis outweighs any excuse Respondents can demonstrate as to why this Court should lift this Order. The Court notes Respondents by their previous pleading stated the "Act" doesn't take effect until 2014.

Appellants and the general public will clearly suffer irreparable injury and financial harm based upon the facts set forth in Appellants' Affidavit. And, based upon the numerous violations of the U.S. Constitution demonstrated in the Show Cause Order establishes a substantial likelihood Appellants will succeed on numerous Constitutional grounds.

The Court enters this Temporary Restraining Order without notice to Appellee/Respondent's because the ongoing financial harm and burden placed upon the public as well as the specific violation of the U.S. Constitution that Appellee/Respondents admitted by failure to set forth any opposing argument in no less than 6-specific Counts set forth in the Petition.

The Court will accept an opposing reply and thereafter set forth a hearing date for oral argument to lift this TRO should Appellee/Respondent's request. Until such time and if Respondent's can demonstrate Appellants are incorrect Appellee/Respondent's, officers, agents, servants, employees, attorneys, and all persons acting in concert with them be restrained from any further implementation of "H.R. 3590" "Patient Protection and Affordable Care" Act.

SO ORDERED.

U.S. CIRCUIT COURT JUDGE