

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAWARIMEDIA LLC, *et al.*,

Plaintiffs,

Case No. 20-cv-11246
Hon. Matthew F. Leitman

v.

GRETCHEN WHITMER, *et al.*,

Defendants.

ORDER (1) VACATING ORDER TO SHOW CAUSE (ECF No. 47) AND
(2) VACATING ORDER GRANTING PLAINTIFFS A
PRELIMINARY INJUNCTION (ECF No. 17)

On June 11, 2020, the Court issued a preliminary injunction that enjoined Defendants from keeping Plaintiff SawariMedia LLC's proposed ballot initiative off the ballot based on SawariMedia's inability to collect 340,047 signatures by May 27, 2020. (*See Op. and Order*, ECF No. 17.) Thereafter, on July 23, 2020, Amani Sawari filed a declaration in which she retracted several factual assertions on which the injunction was based. (*See Second Sawari Decl.*, ECF No. 42.) Also on that day, Plaintiffs filed a notice voluntarily dismissing this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). (*See Notice*, ECF No. 43.)

On September 22, 2020, the Court held an on-the-record status conference in this action. During that conference, all parties appeared except for Plaintiff Paul Ely. The parties that appeared for the conference all agreed that the Court should

vacate its preliminary injunction. However, because Plaintiff Ely did not appear for the conference, the Court wanted to give Ely one final opportunity to weigh in before it vacated the injunction. Accordingly, on September 22, 2020, the Court issued an order to show cause why the preliminary injunction should not be vacated. (*See* Show Cause Order, ECF No. 47.) The Court informed the parties that “[i]f no party timely responds to [the] order” by October 2, 2020, the Court would “vacate the injunction.” (*Id.*, PageID.458.) Counsel for SawariMedia then served the order on all parties. (*See* Certificate of Service, ECF No. 48.)

No party, including Plaintiff Ely, responded to the order to show cause. Thus, for the reasons stated during the September 22, 2020, status conference, the Court’s June 11, 2020, preliminary injunction (ECF No. 17) is **VACATED**. The Court also **VACATES** its order to show cause (ECF No. 47).

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: October 19, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 19, 2020, by electronic means and/or ordinary mail.

s/Deborah Tofil for Holly Monda
Case Manager
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