

Amy Eddy, District Judge  
Department No. 1  
Flathead County Justice Center  
920 South Main Street, Suite 310  
Kalispell, Montana 59901  
(406) 758-5906

THE MONTANA ELEVENTH JUDICIAL DISTRICT COURT  
FLATHEAD COUNTY

<p>STATE OF MONTANA, DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES,</p> <p style="text-align: center;"><i>Plaintiff,</i></p> <p>vs.</p> <p>GRIGGS FERNDALE, LLC d/b/a FERNDALE MARKET,</p> <p style="text-align: center;"><i>Defendant.</i></p>	<p>Cause No. DV-20-963(A)</p> <p style="text-align: center;">ORDER SETTING PRELIMINARY INJUNCTION HEARING</p>
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Pending before the Court is the Plaintiff's *Verified Complaint and Application for Temporary Restraining Order, Injunctive Relief, Enforcement of Public Health Laws, and for Order to Show Cause*, filed 10/22/2020. The Plaintiff alleges the Defendant is not operating in compliance with the statewide "Mask Directive" issued by the Governor on July 15, 2020. The Plaintiff has requested the Court issue a temporary restraining order, without notice to the Defendant, enjoining the Defendant from:

operating in a manner contrary to the emergency directives and Department's public health orders. Specifically, but not limited to, the Department requests a temporary restraining order enjoining Defendant from operating in violation of the Mask Directive . . .

An order directing the Flathead County Sheriff's Office to enforce the terms and conditions of the . . . temporary restraining order.

*Compl.*, p. 18, ¶¶1-2.

The Plaintiff's *Application for Temporary Restraining Order* is DENIED pursuant to Mont. Code Ann. §27-19-315.

This matter is set for a Preliminary Injunction Hearing on November 2, 2020, at 1:30 p.m. The Plaintiff shall immediately serve a copy of this *Order* and the *Verified Complaint and Application for Temporary Restraining Order, Injunctive Relief, Enforcement of Public Health Laws, and for Order to Show Cause* upon the Defendant consistent with Rule 4, Mont.R.Civ.P.

DATED AND ELECTRONICALLY SIGNED AS NOTED BELOW.

Electronically Signed By:  
Hon. Judge Amy Poehling Eddy  
Fri, Oct 23 2020 02:41:45 PM