

D.N.J. LBR 7065-1. Order to Show Cause

A party applying for an order requiring an adverse party to show cause why a preliminary injunction or temporary restraining order should not issue must file a verified complaint or verified counterclaim. An order to show cause will not be granted except on a showing by certification or verified pleading of sufficient reasons why emergent relief is necessary.

2015 Comment

This Rule is new. It is derived from Local Civil Rule 65.1.

Former Local Bankruptcy Rule 9075-1, which addressed emergency orders, has been deleted. Use of an order to show cause is limited to an adversary proceeding in which immediate injunctive relief is requested.

An order to show cause served at the beginning of the action is not a substitute for a summons under Bankruptcy Rule 7004.

Local Bankruptcy Rule [9013-2\(c\)](#) addresses an application for an order shortening time on a motion.