

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

BERINGER COMMERCE, INC., d/b/a
BLUE ACORN, iCi.,

Plaintiff,

vs.

FIN CAP, INC., d/b/a "BLUEACORN.CO,"
BLUE ACORN PPP, LLC, BLUE OAK
FOREST, LLC, MICHAEL S. COTA,
JAMES FLORES, STEPHANIE
HOCKRIDGE REIS, and NATHAN REIS,

Defendants.

Civil Action No. 5:21-cv-251-BO

NOTICE OF EXPEDITED REVIEW

Defendants Fin Cap, Inc., Blueacorn PPP, LLC and Blue Oak Forest, LLC (collectively, the "Blueacorn PPP Defendants"), through undersigned counsel, have filed a Rule 65(b)(4) Motion to Dissolve the Temporary Restraining Order entered by the Court on June 11, 2021. (Dkt. 14). Pursuant to Federal Rule of Civil Procedure 65(b)(4), "[o]n 2 days' notice to the party who obtained the order without notice . . . the adverse party may appear and move to dissolve or modify the order." Fed. R. Civ. P. 65(b)(4). The Blueacorn PPP Defendants hereby give notice to Plaintiff Beringer Commerce, Inc. d/b/a Blue Acorn iCi and this Court that the Blueacorn PPP Defendants are requesting this Court "hear and decide the motion as promptly as justice requires." While the Blueacorn PPP Defendants would gladly appear before the Court on or after Monday, June 21, 2021, (two days' notice) they are willing for the Court to determine the matter on the materials submitted without a hearing on or after Monday, June 21, 2021, and prior to the Court's June 25, 2021 hearing on preliminary injunction.

This the 17th day of June, 2021.

NELSON MULLINS RILEY & SCARBOROUGH LLP

/s/ Christopher J. Blake

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*Counsel for Defendants Fin Cap, Inc., Blueacorn PPP,
LLC and Blue Oak Forest, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

NELSON MULLINS RILEY & SCARBOROUGH LLP

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