

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MAYDAY HEALTH,

Plaintiff,

-v.-

MARTY J. JACKLEY, *Attorney General of
South Dakota, in his official capacity,*

Defendant.

26 Civ. 78 (KPF)

**ORDER TO SHOW CAUSE FOR
TEMPORARY RESTRAINING
ORDER AND PRELIMINARY
INJUNCTION**

KATHERINE POLK FAILLA, District Judge:

Upon the declarations of Adam S. Sieff and Liv Raisner, sworn to on January 14, 2026 (Dkt. #16-17); upon the Complaint (Dkt. #1) and the Motion for Preliminary Injunction (Dkt. #14) and supporting papers annexed thereto; and upon the hearings held before this Court on January 16, 2026, it is hereby:

ORDERED that Defendant Jackley show cause at a hearing on a date and time to be determined by the Court after the parties report to it their availabilities, but no later than January 30, 2026, in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York 10007, or by virtual means if the Court so orders, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining Defendant, during the pendency of this action, from taking any coercive action, formal or informal, to pressure or force Plaintiff Mayday Health to take down or refrain from the publication of the truthful public health information on its website, or the signs it has published publicizing that website; and it is further

ORDERED that, sufficient reason having been shown, pending the hearing of Plaintiff's application for a preliminary injunction, pursuant to Rule 65 of the Federal Rules of Civil Procedure, Defendant is temporarily restrained and enjoined from taking any coercive action, formal or informal, to pressure or force Plaintiff to take down or refrain from the publication of the truthful public health information on its website, or the signs it has published publicizing that website; and it is further

ORDERED that no security is required, inasmuch as the Court finds no realistic likelihood that Defendant will suffer costs or damages from this temporary restraining order; and it is further

ORDERED that personal service of a copy of this Order and the annexed application upon Defendant or his counsel on or before **January 21, 2026**, shall be deemed good and sufficient service thereof.

SO ORDERED.

Dated: January 17, 2026
New York, New York



KATHERINE POLK FAILLA
United States District Judge