

IN THE CIRCUIT COURT FOR HAMILTON COUNTY, TENNESSEE

FILED IN OFFICE

2013 FEB 22 PM 4:00

PATRICK KELLOGG
Plaintiff,

AULA T. THOMPSON, CLERK

130309

v.

BY [Signature] DC

PART _____

ERLANGER BOARD OF TRUSTEES,)
D/B/A)
CHATTANOOGA-HAMILTON COUNTY HOSPITAL AUTHORITY)
MR. RONALD LOVING)
MR. JAMES HUTCHERSON)
DR. PHYLLIS MILLER)
MR. RUSSELL KING, ESQ.)
DR. NITA SHUMAKER)
MS. JENNIFER STANLEY)
MS. KIM WHITE)
MR. MICHAEL GRIFFIN)
DR. DANIEL FISHER)
MR. JAMES WORTHINGTON)
MS. PAT CHARLES)
MRS. KITTY QUINN)
MR. KEVIN SPIEGEL)
MS. CHARLESETTA WOODARD-THOMPSON)
DR. JAMES CREEL)
MR. GREG GENTRY)
MS. JAN KEYS)
MR. DALE HETZLER, ESQ.)
MS. ALANA SULLIVAN)
MR. J. BRITON TABOR)
MR. JOE WINICK)
MR. STEPHEN JOHNSON)
MR. BLAINE MORRIS)
MS. LAURINE VAMPRINE)
Defendants.

MOTION FOR RESTRAINING ORDER – WITHOUT NOTICE

Plaintiff, pursuant to rule 65, requests the Court to enter a temporary restraining order pending a hearing on plaintiff's motion for preliminary injunction, and in support states:

1. On 2/22/2013, Plaintiff filed its complaint seeking to enjoin Defendants from:
 - *Adopting the suggestion of candidates from the Search Firm and Search Committee for the next CEO of Erlanger Health Systems.*
 - *Appointing Mr. Spiegel as the next CEO of Erlanger.*
 - *Entering into any contract with Mr. Spiegel for performance of any services which would be equivalent to the duties of the CEO of Erlanger Health Systems.*
 - *The current Board of Trustees approving another candidate from the list of finalists to become CEO of Erlanger Health Systems.*