

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

FILED IN CLERK'S OFFICE  
U.S.D.C. Atlanta

SUNTRUST BANK, as Trustee of  
the Stephens Mitchell trusts  
f/b/o Eugene Muse Mitchell and  
Joseph Reynolds Mitchell,

Plaintiff,

v.

HOUGHTON MIFFLIN COMPANY,

Defendant.

APR -4 2001

CIVIL ACTION By: LUTHER D. THOMAS, Clerk  
NO. 1:01-CV-701-CAP Deputy Clerk

ORDER

The plaintiff filed the instant action seeking a temporary restraining order ("TRO") and a preliminary injunction against the defendant, seeking to enjoin the defendant from further publication and distribution of the book "The Wind Done Gone." The case arises under the Copyright Act and as such has federal question subject matter jurisdiction. See 17 U.S.C. §§ 101 et seq.; and see 28 U.S.C. § 1338(a). On March 29, 2001, the court held a hearing on the motion for a TRO.

At present the court has not ruled on the TRO and has taken the matter under advisement. While the court continues to work on the TRO, due to the pressing nature of the relief sought and the damages claimed, the court SETS this matter for a hearing on the preliminary injunction for April 18, 2001, at 10:00 am. The parties are DIRECTED to produce all evidence and briefs at this hearing. Due to the court's schedule, requests for a continuance will not be favored.

SO ORDERED, this 4<sup>th</sup> day of April, 2001.

  
CHARLES A. PANNELL, JR.  
United States District Judge