

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

Shepler's Inc. d/b/a Shepler's Mackinac Island
Ferry Service, and Mackinac Island Ferry
Company d/b/a Arnold Transit Company,

Plaintiffs/Counter-Defendants,

-against-

City of Mackinac Island,

Defendant/Counterclaim- Plaintiff.

Case No.: 25-cv-00036

Hon. Robert J. Jonker

Mag. Maarten Vermaat

**EXPEDITED CONSIDERATION
REQUESTED**

**PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER AND A
PRELIMINARY INJUNCTION ENJOINING DEFENDANT FROM ENACTING
UNLAWFUL ORDINANCE**

Plaintiffs Shepler's, Inc. d/b/a Shepler's Mackinac Island Ferry Service ("Shepler's") and Mackinac Island Ferry Company d/b/a Arnold Transit Company ("MIFC") (together, "Plaintiffs" or the "Ferry Companies") hereby respectfully request that this Court enter a Temporary Restraining Order ("TRO") and a Preliminary Injunction enjoining Defendant City of Mackinac Island (the "City") from enacting Ordinance 628, which otherwise has an upcoming effective date of May 28, 2025 (the "2025 Ordinance").

Pursuant to W.D. Mich. LCivR. 7.1(d), Counsel for the parties conferred on May 23, 2025, and Defendant does not concur.

As set forth in the accompanying materials, the Ferry Companies respectfully submit that the 2025 Ordinance is unlawful and all relevant factors support entry of a TRO and a Preliminary Injunction, which would maintain the status quo.

WHEREFORE, the Plaintiffs-Ferry Companies respectfully request that this Court enter

a Temporary Restraining Order and a Preliminary Injunction enjoining the enactment, effectiveness, and/or enforcement of Ordinance No. 628 because Plaintiffs are likely to succeed on the merits, Plaintiffs will suffer irreparable harm if the 2025 Ordinance goes into effect and/or is enforced, no one will be harmed by the requested injunction, and the public interest would be served by granting injunctive relief, which maintains the status quo.

Dated: May 23, 2025

Respectfully submitted,

/s/ Mark J. Magyar

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