

(V) THE PLAINTIFF HAS NO ADEQUATE REMEDY AT LAW;
AND

(VI) EACH PUBLIC OFFICER WHO HAS A DUTY TO PROTECT
THE PROPERTY OF THE PLAINTIFF HAS FAILED OR IS UNABLE TO GIVE
ADEQUATE PROTECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 100, § 68(1) through (7).

This section is revised as a prohibition against issuance of temporary or permanent injunctions, rather than as the former limitation on the jurisdiction of the court.

The introductory phrases of this section, "[i]n addition to any other limitation under this Part III of this subtitle", are added to reflect that this section, which relates to specific forms of injunctive relief, is in addition to the generally applicable restrictions on injunctive relief in labor cases.

In the introductory language and item (3) of this section, the former words "judge or judges thereof" and "judge thereof" are deleted as included in the references to a "court".

In items (1) and (3)(ii), (iii), (v), and (vi) of this section, the word "plaintiff" is substituted for the former word "complainan[t]", to conform to Md. Rule 1-301.

In item (1) of this section, the former word "due" is deleted as unnecessary in light of the reference to notice given "in the manner that the court directs".

The introductory phrases of item (3) of this section, "as a result of the hearing", are added to state expressly that which only was implied in the former law — i.e., the findings of the court are made only on the basis of the hearing.

Defined term: "Person" § 1-101

4-315. TEMPORARY RESTRAINING ORDERS.

(A) ALLOWED.

IF, IN ADDITION TO MEETING THE REQUIREMENTS FOR AN INJUNCTION UNDER § 4-314 OF THIS SUBTITLE, A PLAINTIFF ALLEGES THAT, UNLESS A TEMPORARY RESTRAINING ORDER IS ISSUED BEFORE A COURT HOLDS A HEARING ON ISSUANCE OF OTHER INJUNCTIVE RELIEF IN A CASE THAT INVOLVES OR GROWS OUT OF A LABOR DISPUTE, SUBSTANTIAL AND IRREPARABLE INJURY TO THE PROPERTY OF THE PLAINTIFF IS UNAVOIDABLE, THE COURT MAY ISSUE A TEMPORARY RESTRAINING ORDER IN ACCORDANCE WITH THIS SECTION.

(B) OPPORTUNITY TO SHOW CAUSE; EVIDENCE.