



limited class of citizens who advise the Director of Revenue or his staff of their claimed marital status when filing their petition after the statutory deadline.


Finally, should the ultimate outcome of this litigation establish that such an income tax filing was improper resulting in state income taxes being illegally avoided or refunded, the State has, as it always has had, the right to challenge that filing and seek recovery.

Because the Plaintiffs have not established irreparable injury in the form of pecuniary loss and because the proposed relief fails to avoid the intangible injury claimed, the Court finds that a temporary equitable relief is not authorized. The Court makes no finding on likelihood of success on the merits or the other *Dataphase* factors.

The request for a temporary restraining order is denied.

The cause is set for status review and trial setting on May 2, 2014 at 9:00. Counsel to be prepared to discuss what sort of hearings will be required and their available dates.

SO ORDERED this 4<sup>th</sup> day of April, 2014.



---