

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

REINERI ANDREU ORTEGA,

Plaintiff,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION,

Defendant.

No. 4:25-cv-00496-RGE-SBJ

**ORDER DENYING PLAINTIFF'S
MOTION FOR TEMPORARY
RESTRAINING ORDER**

I. INTRODUCTION

Plaintiff Reineri Andreu Ortega files a motion for a temporary restraining order and preliminary injunction against Defendant National Collegiate Athletic Association. Ortega seeks to prevent the NCAA from applying the five-year eligibility clock in a manner which would prevent him from competing in the 2025–26 and 2026–27 Division I Wrestling seasons at Iowa State University or another NCAA member institution. Ortega further seeks to prevent the NCAA from applying the Rule of Restitution to penalize Ortega or any NCAA member institution.

For the reasons set forth below, the Court denies Ortega's motion for an ex parte temporary restraining order.

II. BACKGROUND

On December 15, 2025, Ortega filed suit in this Court alleging the NCAA was in violation of § 1 of the Sherman Act, 15 U.S.C. § 1, and seeking declaratory and injunctive relief against the NCAA. Compl. 1, ECF No. 1. On the same day, Ortega also moved for a temporary restraining order and preliminary injunction. Mot. TRO & Prelim. Inj., ECF No. 2. The Court now considers

the request for a temporary restraining order and withholds ruling on the request for a preliminary injunction pending notice and response from the NCAA.

III. DISCUSSION

The purpose of a temporary restraining order is to “preserv[e] the status quo and prevent[] irreparable harm just so long as is necessary to hold a hearing, and no longer.” *Granny Goose Foods, Inc. v. Bhd. of Teamsters & Auto Truck Drivers*, 415 U.S. 423, 439 (1974). A temporary restraining order is, therefore, a temporary measure to protect rights until a hearing can be held. Under Rule 65(b)(1) of the Federal Rules of Civil Procedure, the Court may issue a TRO without notice to the adverse party or its attorney, but only if both of the following requirements are met:

(A) specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition; and (B) the movant’s attorney certifies in writing any efforts made to give notice and the reasons why it should not be required.

Fed. R. Civ. P. 65(b)(1)(A)-(B). Thus, a TRO cannot be issued *ex parte* absent a clear showing that immediate and irreparable injury will result before the adverse party can be heard. *Id.* “Federal courts view *ex parte* TROs with disfavor and rarely grant them.” Steven S. Gensler, 2 Federal Rules of Civil Procedure, Rules and Commentary, Rule 65; *see Reno Air Racing Ass’n, Inc. v. McCord*, 452 F.3d 1126, 1131 (9th Cir. 2006) (“[C]ourts have recognized very few circumstances justifying the issuance of an *ex parte* TRO.”).

Here, Ortega has not provided specific facts clearly showing what irreparable injury will result from allowing the NCAA an opportunity to be heard. *See* Fed. R. Civ. P. 65. The Court benefits from the adversarial process and the opportunity to hear from both parties in a dispute. This benefit is heightened in the context of intermediate relief where one party seeks an order altering the status quo as opposed to preserving it. *See Martinson v. Nat’l Collegiate Athletic Ass’n*, No. 2:25-CV-01376-RFB-DJA, 2025 WL 2678049, at *2 (D. Nev. Sept. 18, 2025).

Therefore, the Court denies Ortega's motion for a temporary restraining order. The Court will consider Ortega's motion for a preliminary injunction in due course and with the benefit of argument from both parties.


IV. CONCLUSION

For the forgoing reasons,

IT IS ORDERED that Plaintiff Reineri Andreu Ortega's Motion for a Temporary Restraining Order, ECF No. 2, is **DENIED**.

IT IS SO ORDERED.

Dated this 18th day of December, 2025.


REBECCA GOODGAME EBINGER
UNITED STATES DISTRICT JUDGE