



Warner Legal Corner

AUTOMOTIVE LEGAL TOPICS
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Suiting Up For Battle: Best Practices In TRO Season

A pandemic. Labor shortages. Shipping bottlenecks. War. Inflation. Cost increases. Material shortages. These are issues on a long list of global events that have wreaked havoc on the supply chain, and have led to a significant uptick in motions for temporary restraining orders (TROs) and preliminary injunctions.

When a supplier threatens to stop shipping unless, for example, its price increase demands are met, your options are generally to: (1) pursue a business resolution; (2) re-source; or (3) seek injunctive relief. By the time our clients approach us with an urgent supply chain threat, most have already explored options 1 and 2 and have concluded that they are not feasible to prevent a supply interruption. Enter, the TRO.

A TRO is a court order that maintains the status quo between the parties until the court can schedule a hearing to determine whether it will order an injunction.

Depending on the jurisdiction, a TRO can be sought and granted within a few days' time. Filing can be labor intensive, however. The following best practices will help you stay prepared:

1. Gather key documents (i.e., contract documents, key communications, etc.).
2. Identify internal witnesses. Someone with knowledge will need to confirm the facts under oath.
3. Know your run-out date(s).
4. Get counsel involved early. Counsel can quickly get up to speed on your needs, the parties' negotiating history and the contract documents in order to file as soon as possible. It might also encourage the other party to take these discussions far more seriously. Additionally, it could result in faster filing as counsel is already knowledgeable about the dispute and has possession of the supporting contract documents and communications.

For more information from Warner's Automotive Industry Group, visit their [webpage](#) or log onto www.wnj.com.

ATTORNEY SPOTLIGHT

Laura You



Warner Partner Laura You is a litigator who frequently advises automotive suppliers in commercial contract negotiations, pre-litigation disputes, trials and arbitration proceedings. Although located in Michigan, Laura's work extends across the United States and to Canada, China, Brazil, Mexico, France and Germany.

Automotive suppliers rely on Laura's advocacy in supply chain disputes, and equally depend on her thoughtful counsel and advice to determine the right course of action for each unique obstacle. Although litigation is always an option, Laura likes to place control in the hands of her clients. She does this by analyzing each situation and utilizing her niche automotive industry experience to anticipate and plan for any challenge. Always 10 steps ahead of opposing counsel, Laura relishes in her deep bench knowledge to reach the results clients have come to expect through working with her.

Today, much of her practice involves addressing supply chain disruptions. She understands better than most what these disruptions can do to a supplier's business and the "on your feet" thinking and creativity it takes to resolve matters efficiently and cost-effectively. But that's what she loves most. Additionally, she builds strong relationships with clients and advocates vigorously, both in and out of court, to advance their interests with minimal risk and exposure to their business. The value she brings, along with her accessibility and authenticity, has helped develop her stellar reputation among peers, judges and clients.

Laura has been named a *Michigan Super Lawyer* Rising Star and to *Michigan Lawyers Weekly's* "Women in the Law." She has been selected to participate in Leadership Detroit Class XLII and is a board member of Matrix Human Services.

Check out Laura's [full bio](#) here.



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