

# Oneida Appeals Commission

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## Trial Court

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Brandon James Cooper,  
Petitioner

Docket No. 07-TC-039

v.

Date: March 5, 2007

John Kroner and,  
Oneida Seven Generations Corp.  
Respondent

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## Decision

This case is now before the Oneida Appeals Commission. Judicial Officers, Mary Adams, Anita Barber and Gerald Cornelius, presiding.

### I History

On March 2, 2007 Petitioner, Brandon J. Cooper filed three motions: 1) Temporary Restraining Order to cease and desist Respondent, Mr. Kroner, Chief Executive Officer of Oneida Seven Generations Corporation from advertising the Project Manager/Owner's Rep. position in any and all local newspapers; 2) Permanent Injunction to cease and desist Mr. Kroner from advertising the Project Manager Rep position in any and all local newspapers; and 3) Briefing schedule for Oral Arguments to be determined by the Oneida Appeals Commission. Petitioner claims the posting of this position will place irreparable and irreplaceable harm to him, his reputation and his family.

On March 2, 2007 the trial court deliberated to decide if Petitioner's requests were in order. It

was decided to deny the requests.

## **II Analysis**

Petitioner failed to include a full record that may explain some questions for this court. Without a decision from the Respondent, this court is not sure if Petitioner is employed by Respondent. The court is not sure how and why Rules of Civil Procedure, Rule 31 applies. Generally, the court denies requests for temporary restraining orders with employment cases because the employee can be made whole if employee receives a favorable decision. Due to insufficient information, this court dismisses Petitioner's Motion for Temporary Restraining Order, Permanent Injunction, and to schedule an Oral Arguments hearing.

## **III Decision**

This case is dismissed without prejudice.