

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

**POSITIVE T.A. NELSON, GARY UDHWANI,)
and BRENDA CHARLES,)**

Plaintiffs,)

v.)

Civil Action No. 2018-0017

**CAROLINE FAWKES IN HER OFFICIAL)
CAPACITY AS THE SUPERVISOR OF)
ELECTIONS FOR THE VIRGIN ISLANDS)
and THE VIRGIN ISLANDS TERRITORIAL)
BOARD OF ELECTIONS,)**

Defendants.)

Attorneys:

Trudy Fenster, Esq.,

St. Croix, U.S.V.I.

For Plaintiffs

Erika Marie Scott, Esq.,

St. Croix, U.S.V.I.

For Defendants

ORDER

UPON CONSIDERATION of Plaintiffs’ “Emergency Motion for Temporary Restraining Order and Preliminary Injunction and Memorandum of Law in Support of Motion,” filed on June 11, 2018 (Dkt. No. 2); Defendant’s Opposition thereto, filed on June 14, 2018 (Dkt. No. 9); Plaintiff’s Reply, filed on June 15, 2018 (Dkt. No. 12); and for the reasons stated in the accompanying Memorandum Opinion, filed contemporaneously herewith, it is hereby

ORDERED that the Court will abstain from adjudicating any issues of local law asserted in Plaintiffs’ Complaint pursuant to the abstention doctrine articulated in *R.R. Comm’n v. Pullman Co.*, 312 U.S. 496 (1941); and it is further

ORDERED that the Court will retain jurisdiction over the federal claims to the extent that adjudication of those claims by this Court is necessary, consistent with considerations of judicial economy.

SO ORDERED.

Date: June 25, 2018

_____/s/_____
WILMA A. LEWIS
Chief Judge