

**From:** [Patty Barksdale](#)  
**To:** [RulesCommittee Secretary](#)  
**Cc:** [Julie Wilson](#)  
**Subject:** RE: Suggested Correction to Fed. R. Civ. P. 72(b)  
**Date:** Tuesday, January 05, 2021 4:27:12 PM

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Hello Ms. Wilson.

Here is another rule matter for consideration.

Federal Rule of Civil Procedure 65 addresses injunctions and restraining orders.

Rule 65(e)(2) states, “These rules do not modify the following ... (2) 28 U.S.C. § 2361, which relates to preliminary injunctions in actions of interpleader or in the nature of interpleader.”

Because 28 U.S.C. § 2361 also relates to permanent injunctions, the statement in Rule 65(e) is somewhat confusing. Does Rule 65(e) mean the rules do not modify all of 28 U.S.C. § 2361 or just the aspect concerning preliminary injunctions? If the former, consider eliminating “preliminary injunctions in.”

Thank you for your consideration.

**Patricia D. Barksdale**

United States Magistrate Judge  
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