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Auto. Fin. Corp. v. Bayramov

United States Court of Appeals for the Fourth Circuit

May 21, 2024, Submitted; May 24, 2024, Decided

No. 24-1075

Reporter

2024 U.S. App. LEXIS 12562 *; 2024 WL 2558866

AUTOMOTIVE FINANCE CORPORATION, Plaintiff - Appellee, v. ELSHAN BAYRAMOV, an individual, Defendant - Appellant, and CASPIAN AUTO HOUSE INC., d/b/a Caspian Auto Motors; CERTIFIED AUTO DEAL INC., d/b/a Certified Auto Deal; AUTOLINE OF VA INC., a Virginia corporation; EAE AUTO MOTORS INC., a Virginia corporation; BABAK M. BAYRAMOV, Defendants.

Notice: PLEASE REFER TO *FEDERAL RULES OF APPELLATE PROCEDURE RULE 32.1* GOVERNING THE CITATION TO UNPUBLISHED OPINIONS.

Prior History: [*1] Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. (1:23-cv-01679-CMH-LRV). Claude M. Hilton, Senior District Judge.

[Auto. Fin. Corp. v. Caspian Auto House, Inc., 2023 U.S. Dist. LEXIS 239322, 2023 WL 11835518 \(E.D. Va., Dec. 15, 2023\)](#)

Disposition: AFFIRMED.

Core Terms

preliminary injunction, motion to dismiss, district court

Counsel: Elshan Bayramov, Appellant, Pro se.

Nicholas J. Gehrig, BEAN, KINNEY & KORMAN, PC, Arlington, Virginia, for Appellee.

Judges: Before WYNN and BENJAMIN, Circuit Judges, and KEENAN, Senior Circuit Judge.

Opinion

Elshan Bayramov appeals the district court's order granting Automotive Finance Corporation's ("AFC") motion for a preliminary injunction ("PI") in AFC's action against multiple car dealerships and two individual defendants, one of whom is Bayramov. AFC moves to dismiss the appeal, asserting that Bayramov lacks standing to appeal the PI because AFC did not assert a PI claim against him. We deny AFC's motion to dismiss. See [Deposit Guar. Nat'l Bank v. Roper, 445 U.S. 326, 333, 100 S. Ct. 1166, 63 L. Ed. 2d 427 \(1980\)](#) ("[A] party aggrieved by . . . order of a district court may exercise the statutory right to appeal therefrom."); cf. [McLaughlin v. Pernsley, 876 F.2d 308, 313 \(3d Cir. 1989\)](#) (finding no standing to appeal where PI "d[id] not directly or indirectly restrain [party] from the performance of any act" (emphasis added)).

We have therefore reviewed the record and conclude that the district court did not abuse its discretion in granting the PI. See [Frazier v. Prince George's Cnty., Md., 86 F.4th 537, 543 \(4th Cir. 2023\)](#) (providing [*2] standard of review and explaining that, "[t]o obtain the extraordinary relief of a preliminary injunction, a plaintiff must establish . . . that he's likely to succeed on the merits[,] . . . that he's likely to suffer irreparable harm if preliminary relief isn't granted[,] . . . that the balance of equities favors him[,] and . . . that an injunction is in the public interest" (internal quotation marks omitted)). Accordingly, we affirm the district court's order. *Auto. Fin. Corp. v. Bayramov*, No. 1:23-cv-01679-CMH-LRV (E.D. Va. Jan. 5, 2024).

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

PER CURIAM:

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