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13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA**
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16 DOE PUBLIUS and DEREK HOSKINS,
17 Plaintiffs,
18 v.
19 DIANE F. BOYER-VINE, in her official
capacity as Legislative Counsel of California,
20 Defendant.
21

Case No.: 1:16-CV-01152-LJO-SKO

**PLAINTIFFS' NOTICE OF MOTION AND
MOTION FOR PRELIMINARY
INJUNCTION**

Hearing Date: Feb. 6, 2017
Hearing Time: 8:30 a.m.
Judge: Hon. Lawrence J. O'Neill
Courtroom 4, Seventh Floor
Action Filed: Aug. 5, 2016

1 **TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that on February 6, 2017, at 8:30 a.m., or as soon thereafter as
3 the matter may be heard, before the Honorable Lawrence J. O'Neill, United States District Court,
4 Eastern District of California, 2500 Tulare Street, Fresno, CA 93721, Plaintiff's will and hereby do
5 move the Court for a preliminary injunction.

6 Plaintiffs respectfully request a preliminary injunction enjoining Defendant from enforcing
7 or applying California Government Code section 6254.21(c) against Plaintiffs because it violates
8 the First Amendment.

9 This motion shall be based on this notice of motion and motion, the memorandum of points
10 and authorities in support, the declarations and evidence filed concurrently herewith, and upon any
11 further matters the Court deems appropriate.

12 Pursuant to Local Rule 231(d)(3), Plaintiffs do not desire to present oral testimony at the
13 hearing, and estimate the hearing will last approximately one hour.

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15 Dated: December 15, 2016

/s/ Eugene Volokh
EUGENE VOLOKH
Attorney for Plaintiffs

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20 By /s/ Bradley A. Benbrook
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