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 Counsel for All Plaintiffs

10 \* *Pro Hac Vice Application Pending*  
 11 \*\* *Designated Counsel for Service*

12 **United States District Court**  
 13 **Eastern District of California**  
 14 **Sacramento Division**

<p>15</p> <p>16 <b>ProtectMarriage.com, et al.,</b></p> <p>17 <i>Plaintiffs,</i></p> <p>18 <b>v.</b></p> <p>19 <b>Debra Bowen, et al.,</b></p> <p>20 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p><b>PLAINTIFFS’ NOTICE OF MOTION AND          MOTION FOR PRELIMINARY          INJUNCTION</b></p> <p>Date: TBD          Time: TBD          Honorable Morrison C. England, Jr.</p> <p>Oral Argument Requested</p> <p>Estimated Time Needed: One Hour</p>
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1 TO DEFENDANTS AND THEIR ATTORNEY OF RECORD:

2 YOU ARE HEREBY GIVEN NOTICE THAT on A DATE TO BE DETERMINED BY  
3 COURT ORDER, before the Honorable Morrison C. England, Jr. in Courtroom TO BE  
4 DETERMINED BY COURT ORDER of the United States District Court for the Eastern District  
5 of California, Sacramento Division, located at 501 I Street, Sacramento California 95814,  
6 Plaintiffs ProtectMarriage.com - Yes on 8, a Project of California Renewal  
7 (“ProtectMarriage.com”), National Organization for Marriage California - Yes on 8, Sponsored  
8 by National Organization for Marriage (“NOM-California”), and John Doe #1, an individual,  
9 and as a representative of the Class of Major Donors (“Class of Major Donors”), will and hereby  
10 do move for a preliminary injunction against Defendants.

11 This motion for preliminary injunction is made pursuant to Fed. R. Civ. P. 65(a), and on  
12 the grounds specified in this notice of motion and motion, Plaintiffs’ Memorandum in Support of  
13 Motion for Preliminary Injunction, the declarations filed in support thereof, the Complaint, and  
14 such other and further evidence as may be presented to the Court at the time of the hearing.

15 Pursuant to this notice, Plaintiffs ProtectMarriage.com, NOM-California, and the Class of  
16 Major Donors hereby move for a preliminary injunction to:

- 17 (1) Enjoin Defendants from enforcing California Government Code (“CGC”) §  
18 84200 (“Semi-Annual Report”) against Plaintiffs ProtectMarriage.com, NOM-  
19 California, and members of the Class of Major Donors;
- 20 (2) Enjoin Defendants from commencing any criminal or civil action against  
21 Plaintiffs ProtectMarriage.com, NOM-California, and members of the Class of  
22 Major Donors for failing to comply with CGC § 84200 or any other reporting  
23 provision; and

1 (3) Stop Defendants from publishing or otherwise continuing to make available,  
2 whether directly or indirectly, any reports or campaign statements previously filed  
3 by Plaintiffs ProtectMarriage.com, NOM-California, and members of the Class of  
4 Major Donors as required by the Political Reform Act of 1974, CGC § 81000 *et*  
5 *seq.*  
6

7 Dated this 9th day of January, 2009.

8 Respectfully submitted,  
9

10 /s/ Timothy D. Chandler  
11 Timothy D. Chandler (Cal. Bar No. 234325)  
12 ALLIANCE DEFENSE FUND  
13 101 Parkshore Drive, Suite 100  
14 Folsom, CA 95630  
15 Counsel for All Plaintiffs  
16 Designated Counsel for Service

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Terre Haute, IN 47807-3510  
Counsel for All Plaintiffs  
*\*Pro Hac Vice Application Pending*

1 **PROOF OF SERVICE**

2 I, Timothy D. Chandler, am over the age of 18 years and not a party to the within action. My  
3 business address is 101 Parkshore Drive, Suite 100; Folsom, California 95630.

4 On January 9, 2009, I electronically filed the foregoing document described as Plaintiffs'  
5 Notice of Motion and Motion for Preliminary Injunction, which will be served on all Defendants along  
6 with the Summons and Amended Complaint.

7 I declare under penalty of perjury under the laws of the State of California that the above is true  
8 and correct. Executed on January 9, 2009 at Folsom, California.

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10 s/Timothy D. Chandler  
11 Timothy D. Chandler (CA Bar No. 234325)  
12 Attorney for Plaintiff  
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