

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Barry A. Bostrom (Ind. State Bar No.11912-84)\*  
 2 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
 3 BOPP, COLESON & BOSTROM  
 1 South Sixth Street  
 4 Terre Haute, IN 47807-3510  
 Telephone: (812) 232-2434  
 5 Facsimile: (812) 235-3685  
 Counsel for All Plaintiffs

6 Timothy D. Chandler (Cal. State Bar No. 234325)\*\*  
 7 ALLIANCE DEFENSE FUND  
 101 Parkshore Drive, Suite 100  
 8 Folsom, CA 95630  
 Telephone: (916) 932-2850  
 9 Facsimile: (916) 932-2851  
 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 <b>ProtectMarriage.com, et al.,</b></p> <p>16 <i>Plaintiffs,</i></p> <p>17 <i>v.</i></p> <p>18 <b>Debra Bowen, et al.,</b></p> <p>19 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p><b>[PROPOSED] ORDER GRANTING          PLAINTIFFS' MOTION FOR          PRELIMINARY INJUNCTION</b></p>
---	---

21  
22  
23  
24  
25  
26  
27  
28

1 This action is before the Court on Plaintiffs’ Motion for Preliminary Injunction. The  
2 Court, having considered the memorandums in support and opposition, the Court being fully  
3 advised, and good cause shown:

4 **IT IS HEREBY ORDERED** that Plaintiffs’ Motion for Preliminary Injunction is  
5 **GRANTED**; Plaintiffs have demonstrated: (i) a likelihood of success on the merits on their  
6 claims, (ii) irreparable harm if they are not granted a preliminary injunction, (iii) the balance of  
7 hardships tipping in their favor, and (iv) the public interest favors the interim relief sought in  
8 their motion sufficient to merit and constitute good cause for the issuance of a Preliminary  
9 Injunction Order.

10 It is therefore **ORDERED** that Defendants, their agents, servants, employees, officials,  
11 or any other person acting in concert with them or on their behalf, are preliminarily enjoined  
12 immediately, and through the pendency of this action, from:

- 13 (1) Enforcing California Government Code (“CGC”) § 84200 (“Semi-Annual  
14 Report”) against Plaintiffs ProtectMarriage.com, NOM-California, and members  
15 of the Class of Major Donors;
- 16 (2) Commencing any criminal or civil actions against Plaintiffs ProtectMarriage.com,  
17 NOM-California, and members of the Class of Major Donors for failing to  
18 comply with CGC § 84200 or any other reporting provision of California’s  
19 Political Reform Act of 1974, CGC § 81000 *et seq.*; and
- 20 (3) Publishing or otherwise continuing to make available, whether directly or  
21 indirectly, any reports or campaign statements previously filed by Plaintiffs  
22 ProtectMarriage.com, NOM-California, and members of the Class of Major  
23 Donors as required by the Political Reform Act of 1974, CGC § 81000 *et seq.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**IT IS ORDERED** that no bond is required as no money is at stake in issuance of the injunction. The balance of hardships favors Plaintiffs, who are experiencing harm to fundamental rights guaranteed to them by the Constitution of the United States, while Defendants do not face a likelihood of financial or other harm from complying with this injunction. *Jorgensen v. Cassidy*, 320 F.3d 906, 919 (9th Cir. 2003); *Vietnamese Buddhism Study Temple in Am. v. City of Garden Grove*, 460 F. Supp. 2d 1165, 1177 (C.D. Cal. 2006).

**SO ORDERED** this \_\_\_\_ day of January, 2009.

\_\_\_\_\_  
Hon. Morrison C. England, Jr.  
United States District Judge