

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Georgia Latino Alliance for Human Rights, et al.,
Plaintiffs,
v.
Governor Nathan Deal, et al.,
Defendants.
Case No. 1:11-cv-1804-TWT

[PROPOSED] ORDER GRANTING PLAINTIFFS’ MOTION FOR PRELIMINARY INJUNCTION

This matter comes before the Court on the Plaintiffs’ Motion for a Preliminary Injunction to enjoin all Defendants from enforcing Georgia’s House Bill 87 (“HB 87”). Having considered the parties’ papers filed in support and in opposition to the motion, as well as oral arguments, the Court rules as follows:

Plaintiffs are likely to succeed on the merits of their claim that HB 87 violates the United States and Georgia Constitutions, including the Supremacy Clause, the Fourth Amendment, the constitutional right to travel, and the separation-of-powers requirement of Article I, Section II, Paragraph 3 of the Georgia Constitution. Plaintiffs have demonstrated that they will suffer irreparable injury by being subjected to the enforcement of an unconstitutionally preempted state law as well as a law that violates their constitutional protection against unreasonable searches and seizures, infringes on the constitutional right to travel,

and undermines Georgia's separation of powers. Defendants, on the other hand, will suffer no real harm from delay in enforcement of HB 87 pending final resolution of this action. Plaintiffs have demonstrated that the balance of hardships tips strongly in their favor; and that a preliminary injunction advances the public interest in preventing the enforcement of unconstitutional laws.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiffs' Motion for Preliminary Injunction be GRANTED
2. Until such time as the Court makes a final ruling on the merits, or until further ordered from the Court, the Defendants and their officers, agents, servants, employees, and attorneys and those persons in active concert or participation with them are HEREBY ENJOINED AND RESTRAINED from giving any effect to or otherwise taking action to enforce HB 87.

This order is effective immediately, and shall continue in effect until this Court enters a final judgment in this action or otherwise lifts the preliminary injunction.

Dated: June ____, 2011

United States District Judge