

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

BIG HAT BOOKS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 1:08-CV-596 SEB-TAB
)	
PROSECUTORS, <i>et al.</i> ,)	
)	
Defendants.)	

Plaintiffs' Motion for Summary Judgment

Come now plaintiffs, by their counsel, and move this Court for summary judgment in this cause. In support of this motion they say that:

1. There are no contested issues of material fact in this cause.
2. They are entitled to judgment as a matter of law.
3. In support of this motion they rely on the following evidentiary material, attached to plaintiffs' separately submitted Plaintiffs' Affidavits and Declarations in Support of Motion for Summary Judgment or, alternatively, Motion for Preliminary Injunction.

Attachment 1 - Affidavit of Elizabeth Barden

Attachment 2 - Affidavit of Abbey Friedman

Attachment 3 - Declaration of Christopher Finan

Attachment 4 - Declaration of Allan R. Adler

Attachment 5 - Declaration of Sean Devlin Bersell

Attachment 6 - Declaration of Judith Krug

Attachment 7 - Declaration of James Dana

Attachment 8 - Declaration of John Lyons

Attachment 9 – Affidavit of Maxwell L. Anderson

Attachment 10- Affidavit of Jason C. Zickler

Attachment 11- Affidavit of William O. Harrington

4. In further support of this motion the plaintiffs separately submit and rely upon their Memorandum in Support of Motion for Summary Judgment or Alternatively in Support of Motion for Preliminary Injunction.

5. Accordingly, this Court should enter a permanent injunction enjoining the enforcement of House Enrolled Act No. 1042.

WHEREFORE, plaintiffs request that this Court grant them summary judgment and for all other proper relief.

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Certificate of Service

I hereby certify that on this 23rd day of May, 2008, a copy of the foregoing was filed electronically with the Clerk of this Court. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system and the parties may access this filing through the Court's system.

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