

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

THE MARSHALL COUNTY COAL COMPANY,
THE MARION COUNTY COAL COMPANY,
THE MONONGALIA COUNTY COAL COMPANY,
THE HARRISON COUNTY COAL COMPANY,
THE OHIO COUNTY COAL COMPANY,
MURRAY ENERGY CORPORATION, and
ROBERT E. MURRAY,

Plaintiffs,

Civil Action No. 17-C-124
Judge Jeffrey Cramer

FILED
2017 JUN 28 AM 9:14
JOSEPH M. NEGOTI

v.

JOHN OLIVER, CHARLES WILSON,
PARTIALLY IMPORTANT PRODUCTIONS, LLC,
HOME BOX OFFICE, INC., TIME WARNER, INC.,
and DOES 1 through 10.

Defendants.

**PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

The above-captioned Plaintiffs hereby move (the "Motion") pursuant to Rule 65 of the West Virginia Rules of Civil Procedure for entry of a temporary restraining order, preliminary injunction, and "gag order" to restrain Defendants, during the pendency of this litigation, from (i) re-broadcasting the Defamatory Statements that are the subject of Plaintiffs' Complaint, and (ii) publicly discussing the substance of this litigation. This relief is necessary to prevent further irreparable harm to Plaintiffs and their employees, and to preserve Plaintiffs' ability to obtain justice from a jury of impartial peers in this Court. In support of this Motion, Plaintiffs respectfully submit the accompanying *Memorandum of Law in Support of Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction* and the (i) *Affidavit of Robert E. Murray*; (ii) *Affidavit of John Klayko*; and (iii) *Affidavit of Heather Santini*. Due to the imminent