

Molly Owen
District Judge
Lake County Courthouse
106 4th Avenue East
Polson, MT 59860

LYN FRICKER
CLERK OF DISTRICT COURT
FILED BY *[Signature]*
2024 JUL 16 P 3:34

MONTANA TWENTIETH JUDICIAL DISTRICT COURT,
LAKE COUNTY

TRACY SHARP, LARRY
ASHCRAFT, LUKAS SCHUBERT,
MATTHEW REGIER, and
REPUBLICANS FOR FREEDOM

Plaintiffs and Petitioners,

v.

CHRISTI JACOBSEN, in her official
capacity as Montana Secretary of State

Defendant and Respondent.

Cause No. DV-24-153
Hon. Molly Owen
Dept. 1

**ORDER GRANTING PLAINTIFF'S
APPLICATION FOR
TEMPORARY RESTRAINING
ORDER AND SETTING HEARING
FOR PRELIMINARY
INJUNCTION**

To Defendant Christi Jacobsen:

In accordance with §§ 27-19-314 and 27-19-316, MCA, and Plaintiffs' Application for Temporary Restraining Order, YOU ARE HEREBY ORDERED as follows:

1. A temporary restraining order is being issued this 16th day of July, 2024. This temporary restraining order is being issued to prevent the Secretary of State from certifying CI-126 and CI-127 for the 2024 general election ballot until a hearing on a preliminary injunction can be heard, giving the Court an opportunity to determine whether the Secretary is complying with § 13-27-302, MCA, and counting only active electors on active lists as valid signatures on petitions, as defined in § 13-1-101(1)-(2), MCA, and as required by the Constitution of the State of Montana, Article XIV (9)(1).

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2. The temporary restraining order shall remain in effect pursuant to § 27-19-317, MCA, until the Court can hold a preliminary injunction hearing to determine whether a preliminary injunction should be granted.
3. Should a preliminary injunction be granted, it shall remain in place until this Court can make a declaratory decision on the merits of the underlying petition by Plaintiffs.
4. Counsel for Plaintiffs and Defendant or its counsel are ordered to appear before the above-entitled Court, Department 1, at the Lake County District Courthouse in the City of Polson, County of Lake, State of Montana, on the 24th day of July, 2024, at 2:00 P.M. then and there to show cause, if any, as to why the preliminary injunction being sought by Plaintiffs should be granted. Section 27-19-301(2), MCA. The hearing shall not exceed 2 hours.
5. Plaintiffs shall serve a copy of the Plaintiffs' Application for Temporary Restraining Order and Preliminary Injunction, Brief in Support, any Affidavits, and Order as soon as possible on both the Defendant and the Attorney General.
6. This Order incorporates by reference the signed and filed stipulation between the parties, which was filed on July 16, 2024.

Dated this 16th day of July, 2024.

By: 
Hon. Molly Owen

Ec: Abby Jane Moscatel, Attorney for Plaintiffs
Austin Markus James and Clay R. Leland, Attorney for Defendant
7/16/24 via email AeJ