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11 **Pro hac vice*

12 Attorneys for Plaintiffs

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 MITCH NOYES, HOLDEN LOMELI, } Case No.: 2:25-cv-11480-SPG-PVC
16 and ANTHONY MCBROOM, } **THREE-JUDGE COURT**
17 Plaintiffs, } **REQUESTED**
18 v. } **NOTICE OF MOTION AND**
19 GAVIN NEWSOM, in his official capacity } **MOTION FOR PRELIMINARY**
as Governor of California; and SHIRLEY } **INJUNCTION**
20 WEBER in her official capacity as } Date: February 4, 2026
California Secretary of State, } Time: 10:00 a.m.
21 Defendants. } Courtroom 5C, 5th Floor
Hon. Sherilyn Peace Garnett
22 } Action Filed: December 2, 2025
23 } Trial Date: Not yet set

1 **TO DEFENDANTS AND THEIR ATTORNEYS OF RECORD:**

2 Please take notice that on February 4, 2026 at 10:00a.m., or as soon thereafter
3 as the matter may be heard, before the Honorable Sherilyn Peace Garnett, Courtroom
4 5C of the United States District Court, Central District of California, 255 E. Temple
5 St., Los Angeles, California, Plaintiffs will and hereby do move this Court for the
6 issuance of a preliminary injunction against Defendants Gavin Newsom, in his
7 official capacity as the Governor of California, and Shirley Weber, in her official
8 capacity as California Secretary of State, as set forth in its [PROPOSED] Order.

9 This Motion is brought pursuant to Fed. R. Civ. P. 65 and Local Rule 65-1 on
10 the grounds that the entry of a preliminary injunction is appropriate because Plaintiffs
11 established (1) a likelihood of success on the merits of its claims; (2) that it is likely
12 to suffer irreparable harm in the absence of injunctive relief; (3) that the balance of
13 equities tips in Plaintiff's favor; and (4) that the preliminary injunction is in the public
14 interest.

15 This motion shall be based on this notice of motion and motion, the
16 memorandum of points and authorities in support, the declarations and evidence filed
17 concurrently herewith, and upon any further matters the Court deems appropriate

18 Under Local Rule 7-3, a conference of counsel is not needed because Plaintiffs
19 are seeking a preliminary injunction.

20 Dated: January 7, 2026

BENBROOK LAW GROUP, PC

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By s/ Bradley A. Benbrook

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Bradley A. Benbrook
Stephen M. Duvernay

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