

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

BRYAN NORRIS and
NORRIS FOR ARKANSAS,

Plaintiffs,

v.

TIM GRIFFIN, in his official capacity
as Attorney General of Arkansas, and
COLE JESTER, in his official capacity
as Secretary of State of Arkansas

Civil Action No. 5:26-cv-05005-SOH

**MOTION FOR A
PRELIMINARY INJUNCTION**

Pursuant to Fed. R. Civ. P. 65 and Local Rule 7.2, Plaintiffs Bryan Norris and his state campaign committee, Norris for Arkansas, move for a preliminary injunction enjoining Defendants, their officers, agents, servants, employees, and all persons in active concert or participation with them, from enforcing Act 728 of 2021 (codified at A.C.A. § 7-1-103(a)(24)) against Plaintiffs and exit-polling personnel with whom Plaintiffs contract, regarding exit polling during the Arkansas primary election on March 3, 2026, pending a final judgment in this action.

Plaintiffs have proceeded expeditiously to prepare and file this motion as far in advance of the March 3 primary election as practicable, to ensure that this Court has adequate time to consider and decide the motion under the regular briefing schedule prior to February 17 (the deadline, under Plaintiffs' contract with a polling firm, for Plaintiffs to obtain a preliminary injunction in time for the polling firm to move forward on logistics for the March 3 exit polling).

Plaintiffs' complaint and this motion are being filed on Thursday, January 8, 2026, and it is anticipated that service will be effected on Friday, January 9 (courtesy copies are being e-mailed today to counsel for Defendants, to ensure they have notice of this lawsuit even before service). Thus, under Local Rule 7.2(b), any opposition by Defendants would be due 14 days thereafter, on Friday, January 23. If Defendants oppose the relief requested, Plaintiffs respectfully request that Plaintiffs be given seven days to file a reply brief, until Friday, January 30, and that the Court hear the motion during the week of February 2, so that the Court will then have up to two weeks to issue a decision on Plaintiff's motion, by Tuesday, February 17.

In support of this motion, Plaintiffs rely on the brief submitted in support of this motion, the complaint, and the following exhibits attached to the complaint:

- Exhibit A: Affidavit of Joseph W. Lenski, III, Jan. 7, 2026
- Exhibit B: Declaration of Dr. Kathleen A. Frankovic, Jan. 8, 2026
- Exhibit C: Opinion No. 99-330, Arkansas Attorney Gen., Jan. 27, 2000
- Exhibit D: Opinion No. 2004-268, Arkansas Attorney Gen., Oct. 5, 2004
- Exhibit E: Arkansas Act 728 (Senate Bill 486), as enacted on Apr. 19, 2021
- Exhibit F: Unofficial Transcript of Floor Debate on Senate Bill 486, Arkansas Senate, April 1, 2021
- Exhibit G: Unofficial Transcript of Floor Debate on Senate Bill 486, Arkansas House of Representatives, Apr. 13, 2021
- Exhibit H: Press Release, "Attorney General Griffin Addresses Election-Related Charges Filed by His Office," Oct. 9, 2025
- Exhibit I: Exit Polling Services Agreement Between Norris for Arkansas and Rasmusen Reports, LLC, Jan. 6, 2026

Dated: January 8, 2026

Respectfully submitted,

/s/ Chris Corbitt

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**pro hac vice admission being sought*

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