## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE AT NASHVILLE

| RACHEL WELTY and              | §      |                        |
|-------------------------------|--------|------------------------|
| AFTYN BEHN,                   | §      |                        |
|                               | §      |                        |
| Plaintiffs,                   | §      |                        |
|                               | §      |                        |
| V.                            |        | Case No. 3:24-cv-00768 |
|                               | §<br>§ |                        |
| BRYANT C. DUNAWAY,            | §      |                        |
| JASON LAWSON,                 | §      |                        |
| JENNINGS H. JONES,            | §      |                        |
| ROBERT J. CARTER,             | §      |                        |
| RAY WHITLEY, ROBERT J. NASH,  | §      |                        |
| GLENN FUNK, STACEY EDMONSON,  | §      |                        |
| BRENT COOPER, RAY CROUCH, and | §      |                        |
| HANS SCHWENDIMANN,            | §      |                        |
|                               | §      |                        |
| Defendants.                   | §      |                        |
|                               |        |                        |

## PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION

Come now the Plaintiffs, through counsel, and pursuant to Rules 65(a) and (b) of the Federal Rules of Civil Procedure, respectfully move this Court to:

1. Issue a temporary restraining order restraining the Defendants from

enforcing Section 1 of Public Chapter No. 1032 against the Plaintiffs; and

2. Issue a preliminary injunction preliminarily enjoining the Defendants from enforcing Section 1 of Public Chapter No. 1032.

A memorandum of law supporting this relief is being filed contemporaneously.

The Defendants have been consulted regarding this motion and are being served with it contemporaneously. The Plaintiffs understand that the relief sought here is opposed.

Respectfully submitted,

/s/ Daniel A. Horwitz DANIEL A. HORWITZ, BPR #032176 MELISSA DIX, BPR #038535 SARAH L. MARTIN, BPR #037707 HORWITZ LAW, PLLC 4016 WESTLAWN DR. NASHVILLE, TN 37209 daniel@horwitz.law melissa@horwitz.law sarahmartin1026@gmail.com (615) 739-2888

Counsel for Plaintiffs

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 26th day of June, 2024, a copy of the foregoing and all exhibits and attachments were sent via CM/ECF, USPS Mail, and/or via email, to:

Steven J. Griffin Office of the Tennessee Attorney General P.O. Box 20207 Nashville, TN 37202 Tel: (615) 741-8726 <u>Steven.Griffin@ag.tn.gov</u>

*Counsel for Defendants* 

<u>/s/ Daniel A. Horwitz</u> Daniel A. Horwitz, BPR #032176