

1 Kevin T. Snider, State Bar No. 170988  
*Counsel of record*  
2 Michael J. Pepper, State Bar. No. 192265  
3 Matthew B. McReynolds, State Bar No. 234797  
PACIFIC JUSTICE INSTITUTE  
4 P.O. Box 276600  
5 Sacramento, CA 95827  
6 Tel. (916) 857-6900  
7 Fax (916) 857-6902  
Email: ksnider@pji.org

8  
9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
11 **SACRAMENTO DIVISION**

12 A WOMAN’S FRIEND PREGNANCY ) Case No.: 2:15–CV–02122–KJM–AC  
13 RESOURCE CLINIC, CRISIS )  
14 PREGNANCY CENTER OF ) **[PROPOSED] ORDER GRANTING**  
15 NORTHERN CALIFORNIA, ) **PRELIMINARY INJUNCTION**  
16 ALTERNATIVES WOMEN’S )  
CENTER, )  
17 )  
Plaintiffs, )  
18 )  
v. )  
19 ) **DATE:** December 18, 2015  
**TIME:** 10:00 a.m.  
20 KAMALA HARRIS, Attorney General ) **COURTROOM:** 3  
of the State of California, In Her Official ) **JUDGE:** Hon. Kimberly J. Mueller  
21 Capacity, )  
22 )  
Defendant. )

1 This matter came on for hearing before the Court on Plaintiffs'  
2 application for preliminary injunction. Having given full consideration to all of  
3 the parties' papers, evidence, and relevant authorities, in accordance with  
4 Federal Rule of Civil Procedure 65(b), it is HEREBY ORDERED as follows:

6 THE COURT FINDS that Plaintiffs have established the likelihood of  
7 success on their claims. The notice requirement contained in Health & Safety  
8 Code § 123472(a)(1) constitutes content-based government compelled speech.  
9 The Defendant has not met her burden of establishing that the government has a  
10 narrowly tailored compelling state interest, using the least restrictive means, to  
11 justify the statute's notice requirement. Therefore, requiring the Plaintiffs to  
12 disseminate the statement in the statute impermissibly burdens Plaintiffs' rights  
13 under the First Amendment to freedom of speech and the free exercise of  
14 religion.  
15  
16  
17

18 Plaintiffs have further demonstrated: (1) a likelihood of success on the  
19 merits of their claims; (2) irreparable harm if they are not granted a preliminary  
20 injunction; (3) that the balance of hardships tips in their favor; and, (4) the  
21 public interest favors the interim relief sought in their application, sufficient to  
22 merit and constitute good cause for the issuance of a preliminary injunction  
23 order as more particularly described.  
24  
25

26 THEREFORE, Plaintiffs' request for an order preliminarily enjoining  
27

1 Defendant from enforcing Section 123472(a)(1) as against these three Plaintiffs  
2 is hereby GRANTED.

3 IT IS FURTHER ORDERED that bond shall be waived.

4 Defendant, her officers, employees, agents and any other person  
5  
6 collaborating with them, are HEREBY PRELIMINARILY ENJOINED from  
7 enforcing Health & Safety Code § 123472(a)(1) as against the named Plaintiffs,  
8 A WOMAN’S FRIEND PREGNANCY RESOURCE CLINIC, CRISIS  
9 PREGNANCY CENTER OF NORTHERN CALIFORNIA, ALTERNATIVES  
10 WOMEN’S CENTER.  
11

12 SO ORDERED.

13  
14 DATED this \_\_\_\_ day of December, 2015.

15  
16  
17 \_\_\_\_\_  
18 Hon. Kimberly J. Mueller  
19 UNITED STATES DISTRICT JUDGE  
20  
21  
22  
23  
24  
25  
26  
27  
28