

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JANE DOE I, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No.: 4:08-cv-1518
)	
JEREMIAH W. NIXON, <i>et al.</i> ,)	
)	
Defendants.)	

MOTION FOR PRELIMINARY INJUNCTION

Come now Plaintiffs pursuant to Rule 65 of the Federal Rules of Civil Procedure and for reasons set forth in this Motion and the accompanying Suggestions in Support of this Motion for Preliminary Injunction, moves this Court for entry of a preliminary injunction prohibiting Defendants and their agents from enforcing or threatening to enforce Mo.R.S. §589.426 on October 31, 2008.

Entry preliminary injunction is appropriate in this case because Plaintiffs are likely to succeed on the merits, there is a real threat of irreparable harm to Plaintiffs, no harm will be inflicted upon Defendants should preliminary injunction issue, and the issuance of an injunction is in the public interest.

Bond should be waived or set at a nominal amount since there will be no demonstrable harm to Defendants if their unconstitutional actions are enjoined.

Accordingly, Plaintiffs request this Court:

- A. Grant preliminary injunction prohibiting Defendants and their agents from enforcing, attempting to enforce, or threatening to enforce Mo.R.S. §589.426 on October 31, 2008;

- B. Waving bond or setting bond in a nominal amount; and
- C. Allowing Plaintiffs such other and further relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Anthony E. Rothert
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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served upon each of the Defendants listed below at the address listed below by placing a copy of the foregoing in a properly addressed, postage pre-paid envelope and placing said envelope in the United States Mail on October 3, 2008:

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