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21 **UNITED STATES DISTRICT COURT**  
22 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

23 **The Babylon Bee, LLC, and Kelly**  
24 **Chang Rickert,**

25 *Plaintiffs,*

26 v.

27 **Robert A. Bonta, et al.,**

28 *Defendants.*

Civil No. 2:24-cv-08377-FMO-DTB

**Plaintiffs' Combined Motion for  
Reconsideration of Stay Order  
and Brief in Opposition to Stay  
Order, and in the Alternative,  
Motion to Transfer Venue**

**Date:** Thursday, October 24, 2024

**Time:** 10:00 a.m.

**Courtroom:** 6D

**Judge:** Fernando M. Olguin

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1 **INTRODUCTION**

2 In a few days, voting begins in California for the 2024 election, which  
3 Vice President Harris called “the most existential, consequential, and  
4 important election of our lifetime.”<sup>1</sup> Each day counts for Plaintiffs, The  
5 Babylon Bee, LLC (“The Bee”) and Kelly Chang Rickert, who want to speak  
6 freely about this election online. So they sought a temporary restraining  
7 order or expedited preliminary injunction against California’s AB 2839 for  
8 banning and burdening their political speech. Now, after this Court’s recent  
9 stay order, a different district court has ruled that AB 2839 likely violates  
10 the Constitution. *Kohls v. Bonta*, Case No. 24-cv-2527 (E.D. Cal. Oct. 2,  
11 2024) (order granting preliminary injunction). Because of this recent ruling,  
12 this Court should reconsider its stay order, immediately reinstate merits  
13 briefing on Plaintiffs’ motion for a temporary restraining order or  
14 preliminary injunction, and rule on that motion as soon as possible.  
15 Alternatively, this Court should transfer this case to be consolidated with  
16 *Kohls*. That way, the two similar cases can be quickly litigated together, and  
17 Plaintiffs can ask the *Kohls* court to extend the injunction to them.

18 This relief that Plaintiffs seek is warranted for three reasons. First,  
19 Plaintiffs have no assurance the *Kohls* injunction protects them from AB  
20 2839. There is an ongoing debate about whether universal injunctions in the  
21 First Amendment context can bind nonparties. *See Griffin v. HM Fla.-ORL,*  
22 *LLC*, 144 S. Ct. 1, 2 (2023) (recognizing debate). California has never  
23 indicated the *Kohls* injunction (or any other) binds it as to nonparties. Until  
24 California agrees that the *Kohls* injunction binds them as to Plaintiffs and  
25 that Plaintiffs can hold California officials in contempt for violating that

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<sup>1</sup> *Remarks by Vice President Harris at a Campaign Event*, The White House  
(July 11, 2024 2:22 PM), <https://bit.ly/4eNYuLb>.

1 injunction, Plaintiffs still face a risk of enforcement and suffer irreparable  
2 harm. To make matters worse, California already voiced public disagree-  
3 ment with the *Kohls* injunction, may appeal it, and may succeed in getting it  
4 overturned. There is no reason to think California will lay down or read  
5 *Kohls* broadly, so Plaintiffs still need immediate relief from this Court.

6 Second, all injunction factors strongly favor entering a restraining  
7 order or an injunction immediately. The recent *Kohls* order demonstrates  
8 that Plaintiffs are likely to prevail on the merits of their claims. California  
9 suffers no harm from an injunction clearly protecting Plaintiffs from its  
10 unconstitutional law, as the *Kohls* order confirms. Meanwhile, Plaintiffs  
11 suffer ongoing irreparable harm because of the burden on and loss of their  
12 First Amendment right to speak about politics during the election season. At  
13 a minimum, Plaintiffs can show “a strong chance of success on the merits” in  
14 light of the *Kohls* ruling and thus only need to show “a *possibility* of  
15 irreparable harm.” *Sanai v. Lawrence*, No. CV 21-7745-JFW(KESX), 2022  
16 WL 18229599, at \*1 (C.D. Cal. Feb. 1, 2022) (cleaned up and emphasis  
17 added). They can easily meet that lower standard because of the uncertainty  
18 about the *Kohls* injunction binding nonparties. That alone justifies an order  
19 preserving the status quo and giving Plaintiffs clarity so that they can speak  
20 without fear of prosecution during this critical season.

21 Third, in the alternative, this Court should immediately transfer this  
22 case to the Eastern District of California, Sacramento Division for  
23 consolidation with *Kohls*. As this Court already noted, these cases share  
24 “substantially similar issues and parties.” Minute Ord., ECF No. 15. The  
25 plaintiff in *Kohls* has consented to consolidation. Defendants have their  
26 home base in Sacramento. And upon consolidation, Plaintiffs can ask the  
27 court in *Kohls* to explicitly extend the injunction to them, removing any  
28 uncertainty and their irreparable harm. That win-win checks all the boxes to

1 justify a transfer.

2 This motion is made following telephonic conferences of counsel on  
3 October 3 and October 4 pursuant to L.R. 7–3. Defendants take no position  
4 on the motion to reconsider and do not oppose the motion to transfer.

5 **ARGUMENT**

6 **I. This Court should reconsider its stay order after the recent**  
7 ***Kohls v. Bonta* decision.**

8 This Court stayed Plaintiffs’ motion for a temporary restraining order  
9 or expedited preliminary injunction because a case in another district (*Kohls*  
10 *v. Bonta*)—in which the court had not issued a ruling—involves “similar  
11 issues and parties.” Minute Ord., ECF No. 15. Since then, the court in *Kohls*  
12 issued an order concluding that AB 2839 violates the First Amendment. So  
13 this Court should reconsider and vacate its stay order.

14 Local Rule 7–18 guides courts in exercising their “inherent procedural  
15 power to reconsider” an order. *City of L.A. v. Santa Monica Baykeeper*, 254  
16 F.3d 882, 885 (9th Cir. 2001). Under that rule, a court may reconsider a  
17 prior order when “a change of law occur[s] after the Order was entered.” C.D.  
18 Cal. R. 7–18. The decision in *Kohls* is a quintessential change in law. The  
19 *Kohls* court hadn’t issued any ruling when this Court issued its stay order.  
20 But now it has, holding that AB 2839 likely violates the First Amendment.

21 This change of law justifies reconsidering the stay order, vacating it,  
22 and quickly ruling on the merits of Plaintiffs’ motion. The court in *Kohls*  
23 recognized that AB 2839 irreparably harms constitutionally protected  
24 speech. Neihart Decl. Ex. 1. AB 2839 has the same effect on The Bee, and  
25 Rickert’s harm is also substantial because she is chilling her speech right  
26 now. Compl. ¶¶ 129, 267, ECF No. 1. Importantly, California has given no  
27 assurances that it will refrain from enforcing AB 2839 against Plaintiffs.  
28 *Infra* § II. Rather than favor a stay, the order in *Kohls* justifies granting



1 Plaintiffs’ motion because that order confirms that AB 2839 unconstitu-  
2 tionally regulates speech and causes irreparable harm. Without preliminary  
3 relief, Plaintiffs will continue to suffer irreparable injury in the run-up to the  
4 election. *See In re PG&E Corp. Sec. Litig.*, 100 F.4th 1076, 1087 (9th Cir.  
5 2024) (vacating stay that did not consider the harm to the plaintiffs). This  
6 Court should now reconsider its stay, vacate it, and promptly evaluate the  
7 merits of Plaintiffs’ motion.

8 **II. This Court should reinstate a slightly modified version of the**  
9 **parties’ agreed-upon briefing schedule for the pending motion**  
10 **and quickly enter an injunction protecting Plaintiffs.**

11 Following the course chartered in *Kohls*, this Court should quickly  
12 resolve Plaintiffs’ motion, hold that AB 2839 violates the First Amendment  
13 facially (or as applied here), and enjoin Defendant Attorney General Bonta  
14 and Defendant Secretary of State Weber from enforcing it against The Bee  
15 and Rickert.

16 In *Kohls*, the court held that AB 2839 facially violates the First  
17 Amendment because it is a content-based law that fails strict scrutiny and  
18 compels speech. *See generally* Neihart Decl. Ex. 1. The court then prelimi-  
19 narily enjoined Bonta and Weber from enforcing the law. *Id.* at 21.

20 Like the plaintiff in *Kohls*, Plaintiffs here deserve the relief requested  
21 in their motion to prevent Defendants Bonta and Weber from enforcing AB  
22 2839 against them because (1) it’s an open question how broadly the *Kohls*  
23 preliminary injunction applies; (2) the *Kohls* preliminary injunction is—by  
24 definition—provisional and California remains committed to defending its  
25 law; (3) courts routinely grant follow-on injunctions to prevent irreparable  
26 injury; and (4) Plaintiffs will suffer prejudice from the effective denial of  
27 their motion.

28 *First*, there is an ongoing debate about whether injunctions apply

1 beyond the parties before a court. *See* Wright & Miller, § 8385 Injunctive and  
2 Declaratory Relief—Equitable Discretion, 33 Fed. Prac. & Proc. Judicial  
3 Review § 8385 4.50 (2d ed.) (collecting sources and noting the “controversy”).  
4 Courts begin with the principle that a plaintiff’s “remedy” must be “limited  
5 to the inadequacy that produced the injury in fact that the plaintiff has  
6 established.” *DaimlerChrysler Corp. v. Cuno*, 547 U.S. 332, 353 (2006)  
7 (cleaned up). Then, courts ensure that an injunction is “no more burdensome  
8 to the defendant than necessary to provide complete relief to the plaintiffs.”  
9 *Califano v. Yamasaki*, 442 U.S. 682, 702 (1979).

10 Based on these principles, courts often narrow the scope of broad  
11 injunctions and tailor them to the plaintiffs. *E.g.*, *Labrador v. Poe by &*  
12 *through Poe*, 144 S. Ct. 921, 921 (2024) (mem.) (narrowing a broad injunction  
13 to apply only to the plaintiffs); *id.* at 923 (Gorsuch, J., concurring with other  
14 justices) (explaining these principles); *United States v. Texas*, 599 U.S. 670,  
15 694 (2023) (Gorsuch, J., concurring with other justices) (suggesting that  
16 nationwide injunctions may violate “foundational principles” that limit  
17 authority over nonparties); *City & Cnty. of San Francisco v. Trump*, 897 F.3d  
18 1225, 1244–45 (9th Cir. 2018) (vacating injunction that may have extended  
19 beyond parties to suit). *Compare HM Fla.-ORL, LLC v. Governor of Fla.*, No.  
20 23-12160, 2023 WL 6785071, at \*4 (11th Cir. Oct. 11, 2023) (declining to  
21 narrow injunction), *with id.* at \*5 (Brasher, J., dissenting) (concluding  
22 injunction should not have included “nonparties”). In short, it is an open  
23 question whether the injunction in *Kohls* runs to The Bee and Rickert.

24 Indeed, Defendants Bonta and Weber have not indicated that they  
25 think the *Kohls* injunction shields Plaintiffs here. After the *Kohls* ruling,  
26 Governor Newsom released a statement disagreeing with the ruling and  
27 suggesting California may appeal. *See* Ashley Zavala, *Federal judge blocks*  
28 *California’s new elections deepfake ban*, KCRA 3 (Oct. 2, 2024, 4:46 PM),

1 <https://bit.ly/4esJZg6> (Newsom expressing confidence that “courts will  
2 uphold the state’s ability to regulate” speech under AB 2839). Until any  
3 assurance comes, enforcement officials will likely interpret the *Kohls*  
4 injunction narrowly as only binding Bonta and Weber as to the *Kohls*  
5 plaintiff and no further. At a minimum, Plaintiffs have no assurance that  
6 enforcement officials think the *Kohls* injunction binds them as to others or  
7 that Plaintiffs can hold enforcement officials in contempt for violating the  
8 *Kohls* injunction. That alone leaves Plaintiffs unsure and unprotected,  
9 needing relief.

10 *Second*, “a preliminary injunction decision is just that: preliminary.”  
11 *Ctr. for Biological Diversity v. Salazar*, 706 F.3d 1085, 1090 (9th Cir. 2013).  
12 California could appeal the decision in *Kohls* or request a stay of the order  
13 pending appeal. Fed. R. App. Proc. 8. Or California could move to narrow the  
14 injunction’s scope. *See Labrador*, 144 S. Ct. at 921 (narrowing a broad  
15 injunction) (Gorsuch, J., concurring with other justices); *A&M Records, Inc.*  
16 *v. Napster, Inc.*, 284 F.3d 1091, 1098 (9th Cir. 2002) (noting district court’s  
17 authority to modify a preliminary injunction). What’s more, California  
18 continues to defend AB 2839 as noted above, saying AB 2839 is critical to  
19 “protect our democracy.” Zavala, *supra*. Those statements—and the lack of  
20 an affirmative commitment from Bonta and Weber *not* to enforce the law  
21 against Plaintiffs—heavily favor adjudicating Plaintiffs’ motion.

22 *Third*, because a preliminary injunction is temporary, “courts routinely  
23 grant follow-on injunctions against the [g]overnment, even in instances  
24 when an earlier nationwide injunction has already provided plaintiffs in the  
25 later action with their desired relief.” *Whitman-Walker Clinic, Inc. v. U.S.*  
26 *Dep’t of Health & Hum. Servs.*, 485 F. Supp. 3d 1, 60 (D.D.C. 2020) (collect-  
27 ing cases). One court has “no power over or knowledge of whether and, if so,  
28 when [another] preliminary injunction will be lifted or modified” in a

1 different case. *Id.* (cleaned up). Should the *Kohls* injunction be lifted or  
2 modified, “even a temporary lag between the lifting of that injunction (or  
3 restriction of its ... scope) and entry of an injunction by this Court would  
4 likely entail some irreparable harm to Plaintiffs.” *Id.* at 59–60 (cleaned up);  
5 *accord Am. Encore v. Fontes*, No. CV-24-01673-PHX-MTL, 2024 WL  
6 4333202, at \*26 (D. Ariz. Sept. 27, 2024). In sum, “overlapping injunctions  
7 appear to be a common outcome of parallel litigation, rather than a reason  
8 for the Court to pass on exercising its duty to determine whether litigants  
9 are entitled to relief.” *California v. Health & Hum. Servs.*, 390 F. Supp. 3d  
10 1061, 1065 (N.D. Cal. 2019).

11 *Fourth*, the equities strongly favor Plaintiffs. *See In re PG&E*, 100  
12 F.4th at 1087–88 It “is always in the public interest to prevent the violation  
13 of a party’s constitutional rights.” *Fellowship of Christian Athletes v. San*  
14 *Jose Unified Sch. Dist. Bd. Of Educ. (FCA)*, 82 F.4th 664, 695 (9th Cir. 2023)  
15 (en banc) (cleaned up). And Bonta and Weber are not harmed by a restraint  
16 on enforcing AB 2839 because they have “no interest in the enforcement of a  
17 provision that is likely to be found unconstitutional.” *Garcia v. City of Los*  
18 *Angeles*, 481 F. Supp. 3d 1031, 1051 (C.D. Cal. 2020); *KH Outdoor, LLC v.*  
19 *City of Trussville*, 458 F.3d 1261, 1272 (11th Cir. 2006) (same). Their harm is  
20 further minimized because the *Kohls* court already held that AB 2839  
21 violates the First Amendment. Neihart Decl. Ex. 1. That court’s logic applies  
22 here and should lead to the same result. Even considering the practical  
23 question of workload for Bonta and Weber’s counsel, there is no burden  
24 because counsel already agreed to the proposed expedited briefing schedule  
25 and filed a brief addressing AB 2839’s constitutionality in the *Kohls* case.  
26 Scruggs Decl. pp. 6–8, ECF No. 12-2.

27 On the other side of the balance, AB 2893 arguably still applies to  
28 Plaintiffs (given the uncertainty about the reach of the *Kohls* injunction),

1 violates Plaintiffs’ First Amendment rights, and causes them irreparable  
2 harm. Rickert in particular is refraining from posting political content in the  
3 weeks leading up to a national election to avoid the substantial risk of being  
4 penalized for posting her desired speech. *E.g.*, Compl. ¶¶ 129, 267. The “loss  
5 of First Amendment freedoms, for even minimal periods of time, unquestion-  
6 ably constitutes irreparable injury.” *FCA*, 82 F.4th at 694 (cleaned up).  
7 Worse still, Rickert’s loss involves core political speech, where the First  
8 Amendment is normally “at its zenith.” *Meyer v. Grant*, 486 U.S. 414, 425  
9 (1988). Because the equities so strongly side with *The Bee* and Rickert, any  
10 uncertainty about the application of the *Kohls* injunction favors deciding  
11 Plaintiffs’ motion now.

12 Notably, the current briefing schedule for responding to the Court’s *sua*  
13 *sponte* stay—which is not set to conclude until October 18—operates as a  
14 “practical” denial of Plaintiffs’ motion with “irreparable consequences.”  
15 *Estrada v. Gomez*, No. 93-16000, 1994 WL 83392, \*1 (9th Cir. Mar. 10,  
16 1994). As mentioned, the parties previously agreed to finish briefing Plain-  
17 tiffs’ motion by October 9. *See* Scruggs Decl. pp. 6–8. But the stay issue will  
18 not be fully briefed until October 18, and even if the Court lifts the stay that  
19 day, it would presumably give Bonta and Weber time to file their opposition  
20 to the motion (and perhaps the Court will also request a reply brief). And  
21 after all that, the Court might need additional time to write and issue an  
22 opinion before giving any relief to Plaintiffs. Given that the election is set for  
23 November 5 and that early voting will begin in just three days, proceeding  
24 along the current schedule is an effective denial of Plaintiffs’ motion.

25 Likewise, the current briefing schedule for the stay undermines the  
26 very reason for a temporary restraining order: to “preserve the status quo  
27 before a preliminary injunction hearing may be held.” *Johnson v. Macy*, 145  
28 F. Supp. 3d 907, 913 (C.D. Cal. 2015). The status quo here is that Plaintiffs

1 could post their speech online without fear of prosecution under AB 2839—  
2 that was the last uncontested relationship between Plaintiffs and Defen-  
3 dants. *See Faison v. Jones*, 440 F. Supp. 3d 1123, 1131 (E.D. Cal. 2020)  
4 (noting status quo was “when Plaintiffs were unbanned and free to comment  
5 on Defendant’s Facebook page, and Plaintiffs seek to preserve the status quo  
6 that existed before Defendant began its allegedly unlawful conduct”). Given  
7 that the merits so strongly favor Plaintiffs and the *Kohls* injunction’s pro-  
8 tective scope is at best “unresolved,” this Court should err on “preservation  
9 of the status quo in the meantime [which] is, indeed, the archetypal use of a  
10 temporary restraining order.” *All. for Wild Rockies v. Higgins*, 690 F. Supp.  
11 3d 1177, 1186–87 (D. Idaho 2023) (entering temporary restraining order in  
12 “unsettled” setting).

13 To obtain the relief to which they are entitled, The Bee and Rickert  
14 request that this Court promptly lift the stay and reinstate a slightly  
15 adjusted version of the parties’ stipulated schedule on Plaintiffs’ pending  
16 motion. Bonta and Weber had originally agreed to file their response six  
17 days after the filing of The Bee’s and Rickert’s motion (October 7), and The  
18 Bee and Rickert agreed to file their reply two days thereafter (October 9).  
19 Scruggs Decl. pp. 6–8. The Bee and Rickert propose that Defendants’  
20 response should now be due on October 11 and The Bee’s and Rickert’s reply  
21 be due on October 14. Also, in the interest of getting an expedited ruling on  
22 the motion, the Bee and Rickert would be willing to forgo any hearing, and  
23 the Court can rule on the written submissions, just as the *Kohls* court did.  
24 Neihart Decl. Ex. 1 p. 3 n.2.

25 **III. In the alternative, the Court should transfer this case to the**  
26 **Eastern District of California, Sacramento Division, so that it**  
27 **can be consolidated with the *Kohls* case.**

28 Should the Court not lift the stay and rule on Plaintiffs’ pending

1 motion, it should transfer this case to the Eastern District of California,  
2 Sacramento Division, where *Kohls* is pending. This case could have been  
3 brought there, and as this Court has recognized, *Kohls* “involves substan-  
4 tially similar issues and parties.” Minute Ord., ECF No. 15. Counsel for the  
5 *Kohls* plaintiff has consented to consolidation of the cases upon transfer.  
6 Neihart Decl. p. 1.

7 “For the convenience of parties and witnesses, in the interest of justice,  
8 a district court may transfer any civil action to any other district or division  
9 where it might have been brought.” 28 U.S.C. § 1404(a). “The purpose of  
10 § 1404(a) is to ‘prevent waste of time, energy, and money and to protect  
11 litigants, witnesses, and the public against unnecessary inconvenience and  
12 expense.’” *Comm. to Protect Our Agric. Water v. Occidental Oil & Gas Corp.*,  
13 2015 WL 13653869, at \*2 (C.D. Cal. Aug. 31, 2015) (quoting *Van Dusen v.*  
14 *Barrack*, 376 U.S. 612, 616 (1964)).

15 On a motion to transfer, the Court considers “two broad categories of  
16 factors: (1) the convenience of parties and witnesses; and (2) the interests of  
17 justice.” *Comm. to Protect Our Agric. Water* at \*2. In a federal-question case,  
18 the “interests of justice” concern “the administrative difficulties flowing from  
19 court congestion; [and] the local interest in having localized controversies  
20 decided at home.” *Id.* “[T]he possible consolidation of actions across judicial  
21 districts” is a “significant factor” weighing in favor of transfer. *Sandys v.*  
22 *Willard*, 2021 WL 1091919, at \*6 (N.D. Cal. Mar. 22, 2021) (citing *A.J.*  
23 *Industries, Inc. v. U.S. Dist. Court for Cent. Dist. of Calif.*, 503 F.2d 384, 388  
24 (9th Cir. 1974)); accord *Baird v. OsteoStrong Franchising, LLC*, 2022 WL  
25 1063130, at \*3 (E.D. Cal. Apr. 8, 2022).

26 This case could have been brought in the Eastern District. Plaintiffs  
27 named Defendants Bonta and Weber (the two remaining Defendants) in  
28 their official capacities only, meaning that they represent their state

1 agencies located in Sacramento. *See* Compl. ¶ 23. “[V]enue in a suit against a  
2 state agency is appropriate in any city in which the Attorney General has an  
3 office.” *Med. Dev. Int’l v. Calif. Dep’t of Corr. & Rehab.*, 2010 WL 347901, at  
4 \*2 n.2 (E.D. Cal. Jan. 22, 2010).

5 Litigating in Sacramento would be equally—if not more—convenient  
6 for parties and witnesses. If this Court maintains its stay and declines to  
7 rule on Plaintiffs’ motion, transfer would promote the speedy resolution of  
8 the case. The facts here primarily involve Plaintiffs’ internet posts (or  
9 desired internet posts), which they can testify to and which are accessible  
10 anywhere. Plaintiffs are unaware of any nonparty fact witnesses located in  
11 the Central District. And Defendants have their home base in Sacramento,  
12 where they are already litigating the substantially similar *Kohls* case.

13 If this Court keeps the stay in place, a transfer to Sacramento would  
14 also serve the interests of justice. Upon transfer, Plaintiffs will seek consoli-  
15 dation with the *Kohls* case, which weighs heavily in favor of transfer. *See*  
16 *Sandys*, 2021 WL 1091919 at \*6. The *Kohls* court has already issued a  
17 preliminary decision. Defendants have the same counsel in both cases, who  
18 can save time and resources by avoiding potentially duplicative briefing. A  
19 transfer here would prevent a waste of time and resources, and it would be  
20 convenient for Defendants. Thus, if this Court does not dissolve the stay and  
21 rule on Plaintiffs’ motion, it should transfer this case to the Eastern District,  
22 Sacramento Division, so that it can be consolidated with the *Kohls* case.

### 23 CONCLUSION

24 To ensure that Plaintiffs can fully and freely participate in the political  
25 debates during a consequential national election, this Court should promptly  
26 vacate its stay, reinstate a slightly modified briefing schedule for Plaintiffs’  
27 motion. Specifically, the Court should order Bonta and Weber to file their  
28 response by October 11 and Plaintiffs to file their reply by October 14, and



1 the Court should quickly rule on Plaintiffs’ motion after that. In the alterna-  
2 tive, the Court should transfer this case to the Eastern District of California,  
3 Sacramento Division.

4 **CERTIFICATE OF COMPLIANCE**

5 The undersigned, counsel of record for Plaintiffs, certifies that this  
6 brief contains 3,492 words, which complies with the word limit of L.R. 11-  
7 6.1.

8  
9  
10 DATED: October 4, 2024

11 */s/ David A. Shaneyfelt*  
12 David A. Shaneyfelt  
13 *Counsel for Plaintiffs*  
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**PROOF OF SERVICE**

On October 4, 2024, I electronically filed Plaintiffs’ Combined Motion for Reconsideration of Stay Order and Brief in Opposition to Stay Order, and in the Alternative, Motion to Transfer Venue, with the Clerk of Court using the CM/ECF system. Counsel for Defendants Bonta and Weber were served via the CM/ECF systems generated Notice of Electronic filing pursuant to L.R. 5-3.2.1.

I declare under penalty of perjury that the foregoing is true and correct.

*/s/ David A. Shaneyfelt*  
David A. Shaneyfelt  
*Counsel for Plaintiffs*