

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA**

THE STATE OF LOUISIANA, by and through  
its attorney general, JEFF LANDRY, et al.,  
PLAINTIFFS,

v.

HORSERACING INTEGRITY AND  
SAFETY AUTHORITY, INC., et al.,  
DEFENDANTS.

CIVIL ACTION No. \_\_\_\_\_

**PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

The State of Louisiana, the Louisiana State Racing Commission, the Louisiana Horsemen's Benevolent and Protective Association, Louisiana Thoroughbred Breeders Association, Jockeys' Guild, State of West Virginia, West Virginia Racing Commission, and several individuals regulated as "covered persons" under the Horseracing Integrity and Safety Act of 2020 (the "Act") respectfully move this Court for an order under Rule 65 of the Federal Rules of Civil Procedure and 5 U.S.C. §705 granting a temporary restraining order and preliminary injunction, with expedited consideration, in their favor against the named Defendants. As explained in the Complaint and attached Memorandum, Defendants have violated the Fourth Amendment, Seventh Amendment, Tenth Amendment, and Administrative Procedure Act by issuing and imminently implementing substantively and procedurally deficient rules promulgated under the Act. HISA's unlawful rules take effect on **July 1, 2022**.

This Motion is made on the grounds specified in this Motion; the Complaint; the accompanying Memorandum of Law; the exhibits attached to the Complaint and to this Motion including the attached Declarations; all matters of which this Court may take judicial notice; and on such other and further oral or documentary evidence as may be presented to the Court at or before the hearing on this Motion. Plaintiffs are substantially likely to prevail on the merits of their claims and preliminary injunctive relief is necessary to avoid substantial injuries to their sovereign, quasi-

sovereign, and proprietary interests. And the public interest and balance of harms favor an order compelling Defendants to follow the law.

For these reasons and those explained in the attached Memorandum, Plaintiffs respectfully request a temporary restraining order and a preliminary injunction ordering Defendants to disregard the HISA rules and to execute the statutory duties of their offices regarding implementation of the Act as if the HISA rules did not exist. Plaintiffs also ask the Court to temporarily restrain and preliminarily enjoin Defendants from implementing the HISA rules, and any other action taken in reliance upon the approved rules.

Respectfully submitted,

Dated: June 29, 2022

/s/Elizabeth B. Murrill

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**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR A TEMPORARY  
RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

This Court has considered the motion for a temporary restraining order and preliminary injunction filed by Plaintiffs; the submissions of Defendants; and the evidence and pleadings of record, and finds that (1) Plaintiffs are likely to succeed on the merits of their claims that the Horseracing Integrity and Safety Authority (“HISA”) rules are procedurally and substantively unlawful; (2) Plaintiffs will suffer irreparable injury unless injunctive relief is issued; (3) the threatened injury to Plaintiffs outweighs possible harm that the injunction may cause the opposing parties; and (4) the injunction is in the public interest. *Opulent Life Church v. City of Holly Springs, Miss.*, 697 F.3d 279, 288 (5th Cir. 2012); *Karaha Bodas Co. v. Perusahaan Pertambangan*, 335 F.3d 357, 363 (5th Cir. 2003).

Because Plaintiffs have clearly established their burden of persuasion on each of the four elements required for injunctive relief, Plaintiffs’ motion is **GRANTED**. Accordingly,

**IT IS ORDERED** that Defendants; their servants, agents, and employees; and all persons in active concert or participation with them, who receive actual Notice of this Order, and until a full trial on the merits is had, are hereby enjoined from enforcing the HISA rules, or promulgating or implementing any actions taken pursuant to the HISA;

**IT IS FURTHER ORDERED** that Defendants shall file with this Court and serve on Plaintiffs within \_\_\_ days from the date of entry of this Order a report in writing setting forth in detail the manner in which Defendants have complied with the terms of this Order; and

**IT IS FURTHER ORDERED** that this Order shall become effective immediately and shall expire at \_\_\_ o'clock a.m./p.m. on \_\_\_\_\_, unless it is further extended by order of this Court.

Signed this \_\_\_ day of \_\_\_\_\_, 2022

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**UNITED STATES DISTRICT JUDGE**