

1 Charles S. LiMandri, SBN 110841
2 Paul M. Jonna, SBN 265389
3 Jeffrey M. Trissell, SBN 292480
4 LIMANDRI & JONNA LLP
5 P.O. Box 9120
6 Rancho Santa Fe, CA 92067
7 Telephone: (858) 759-9930
8 Facsimile: (858) 759-9938
9 cslimandri@limandri.com
10 pjonna@limandri.com
11 jtrissell@limandri.com

12 Thomas Brejcha, *pro hac vice**
13 Peter Breen, *pro hac vice**
14 THOMAS MORE SOCIETY
15 309 W. Washington St., Ste. 1250
16 Chicago, IL 60606
17 Tel: (312) 782-1680
18 tbrejcha@thomasmoresociety.org
19 pbreen@thomasmorsociety.org
20 *Application forthcoming

21 Attorneys for Plaintiffs

Harmeet K. Dhillon (SBN: 207873)
Mark P. Meuser (SBN: 231335)
Gregory R. Michael (SBN: 306814)
DHILLON LAW GROUP INC.
177 Post Street, Suite 700
San Francisco, CA 94108
Telephone: (415) 433-1700
Facsimile: (415) 520-6593
harmeet@dhillonlaw.com
mmeuser@dhillonlaw.com
gmichael@dhillonlaw.com

Attorneys for Plaintiffs

22 UNITED STATES DISTRICT COURT
23 SOUTHERN DISTRICT OF CALIFORNIA

24 SOUTH BAY UNITED
25 PENTECOSTAL CHURCH, a California
26 nonprofit corporation, and BISHOP
27 ARTHUR HODGES III, an individual,

28 Plaintiffs,

v.

GAVIN NEWSOM, in his official capacity
as the Governor of California, *et al.*,

Defendants.

Case No.: 3:20-cv-865-BAS

**Notice of Motion and Renewed
Motion for a Temporary
Restraining Order / Preliminary
Injunction**

Judge: Cynthia Bashant
Dept: Courtroom: 4B
Date: TBD
Time: No Oral Argument Unless
Requested by the Court

ORAL ARGUMENT REQUESTED

1 **TO: THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF**
2 **RECORD:**

3 PLEASE TAKE NOTICE that Plaintiffs South Bay United Pentecostal
4 Church and Bishop Arthur Hodges III, by and through counsel, will and hereby do
5 renew their motion for a temporary restraining order / preliminary injunction
6 pursuant to Fed. R. Civ. P. 65(b), seeking an order enjoining Defendants Gavin
7 Newsom, in his official capacity as the Governor of California; Xavier Becerra, in his
8 official capacity as the Attorney General of California, Sonia Angell, in her official
9 capacity as California Public Health Officer, Wilma J. Wooten, in her official capacity
10 as Public Health Officer, County of San Diego, Helen Robbins-Meyer, in her official
11 capacity as Director of Emergency Services, and William D. Gore, in his official
12 capacity as Sheriff of the County of San Diego (“Defendants”), as follows:

13 Defendants, their agents, employees, and successors in office, are restrained
14 and enjoined from enforcing, trying to enforce, threatening to enforce, or otherwise
15 requiring compliance with:

- 16 1. any industry-specific standards for Places of Worship that do not apply to
17 other industries;
- 18 2. any government order treating Places of Worship dissimilarly from
19 shopping (whether deemed by California to be essential or non-essential
20 shopping), restaurants, factories, and protests; and
- 21 3. any prohibition on indoor worship services, including singing or chanting
22 during such worship services.

23 This Motion is made on the grounds that Plaintiffs are likely to succeed on the
24 merits of this case, they will suffer irreparable harm without injunctive relief, the
25 balance of equities tips sharply in their favor, and the relief sought is in the public
26 interest.

27 Good cause exists to issue the requested Order to preserve Plaintiffs’ rights
28 under the Constitution of the United States and the Constitution of the State of

1 California, and to avoid irreparable harm to those rights. This Motion is supported by
 2 the accompanying Memorandum of Points and Authorities; by the declarations of
 3 Plaintiff Bishop Arthur Hodges III, Attorney Jeffrey M. Trissell, Esq., and experts
 4 Dr. Charles Cicchetti, Dr. James Lyons-Weiler, Sean G. Kaufmann, Dr. George
 5 Delgado, and Dr. Jayanta Bhattacharya, and all exhibits attached thereto; by the
 6 Verified Second Amended Complaint (Dkt. 47); by the prior briefing (Dkt. 12, 29, 36,
 7 45); by the prior declarations of Bishop Hodges (Dkt. 12-2, 45-2); by the prior
 8 declaration of Dr. Delgado (Dkt. 12-3); by the prior attorney declarations with
 9 exhibits (Dkt. 12-4, 45-3); by the prior requests for judicial notice (Dkt. 13, 21, 45-4);
 10 and by such further argument and evidence that may be adduced at any hearing on
 11 this matter or of which the Court may take judicial notice.

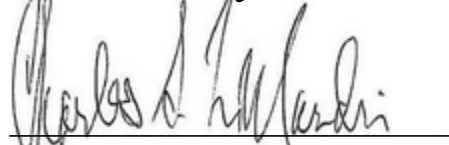
12 Plaintiffs request that the Court waive any bond requirement, because
 13 enjoining Defendants from unconstitutionally prohibiting religious practices will not
 14 financially affect Defendants.

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Dated: August 10, 2020

By:

LiMANDRI & JONNA LLP



Charles S. LiMandri
 Paul M. Jonna
 Jeffrey M. Trissell
 Attorneys for Plaintiffs