

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BRIAN MOORE, et al.,)	
)	
Plaintiffs,)	Case No. 2:08cv224
)	
v.)	Judge _____
)	
JENNIFER BRUNNER,)	
Ohio Secretary of State,)	Magistrate Judge _____
in her official capacity,)	
)	
Defendant.)	ORAL ARGUMENT
)	REQUESTED
_____)	

MOTION FOR PRELIMINARY INJUNCTION

Plaintiffs move for a preliminary injunction pursuant to Federal Rule of Civil

Procedure 65 directing the Defendant to:

- (1) refrain from enforcing or applying, or directing or commanding any other state or local official to enforce or apply, O.R.C. § 3503.06(A) to Plaintiffs and/or any other persons who circulate part-petitions in an effort to have Brian Moore’s name placed on Ohio’s presidential ballot; and

- (2) refrain from enforcing or applying, or directing or commanding any other state or local official to enforce or apply, O.R.C. § 3503.06(A) to any persons who circulate part-petitions on behalf of any candidate for President in the State of Ohio.

Plaintiffs’ attached Memorandum establishes that Plaintiffs have met the requirements of Rule 65, in that they are substantially likely to prevail on the merits, will suffer irreparable harm in the absence of preliminary relief, an injunction or temporary restraining order will not harm or burden the Defendant, and an injunction or temporary restraining order will serve the public interest.

Respectfully submitted,

/s/ Mark R. Brown

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CERTIFICATE OF SERVICE

I hereby certify that copies of the Complaint, this Motion and accompanying Memorandum were electronically mailed to the Ohio Attorney General's Office, c/o Richard N. Coglianese (rcoglianese@ag.state.oh.us), Assistant Attorney General, 30 E. Broad Street, 17th Floor, Columbus, OH 43215-3428 (FAX (614) 728-7592), Attorney for the Defendant, on this ____ day of March, 2008.

/s/ Mark R. Brown

Mark R. Brown