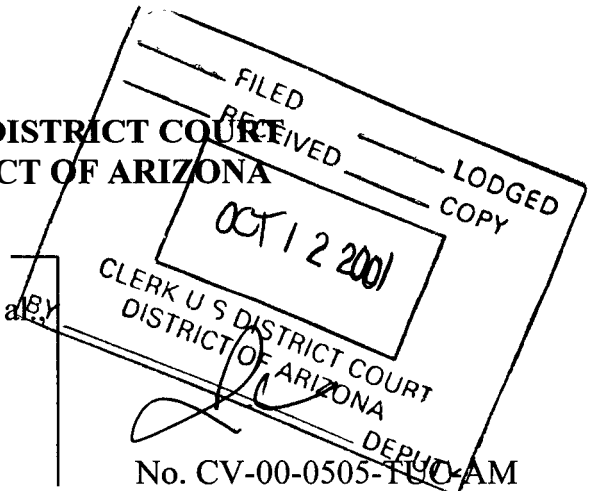


UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA



AMERICAN CIVIL LIBERTIES UNION, et al.,

Plaintiffs,

v.

JANET NAPOLITANO, et al.,

Defendants.

[Signature]
~~PROPOSED~~ ORDER

Based upon plaintiffs' Motion for Temporary Restraining Order and Expedited Preliminary Injunction Hearing and the pleadings submitted therewith, the Court makes the following Findings of Fact:

- (i) That the potential harm to the plaintiffs is irreparable;
- (ii) That defendants will not be harmed by the issuance of a Temporary Restraining Order;
- (iii) That a Temporary Restraining Order will not affect the interests of third parties, including the public interest; and
- (iv) That plaintiffs are likely to succeed at least partially on the merits of their claim that A.R.S. § 13-3506(1) is unconstitutional.

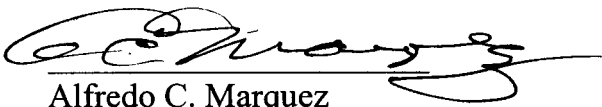
IT IS HEREBY ORDERED:

That defendants are enjoined from enforcing A.R.S. § 13-3506.01 pending further order of this Court.

Further, it is ordered that a scheduling conference will take place on October 12, 2001 at 1:30 p.m. to determine a date on which a consolidated trial and preliminary injunction hearing can take place.

Further, it is ordered that plaintiffs post security in the amount of ten (10) dollars.

DATED this 12 day of Oct, 2001.


Alfredo C. Marquez
United States District Judge